COVER

The final schematic presentation by Cooperson Breck Associates of the Kent County Family Court and the Youth Diagnostic Center. The facility is to be located in Dover with a projected completion date of September, 1986.

51360-1

1984 ANNUAL REPORT

of the

DELAWARE JUDICIARY

November 30, 1984

Prepared by the

ADMINISTRATIVE OFFICE OF THE COURTS

John R. Fisher
Director

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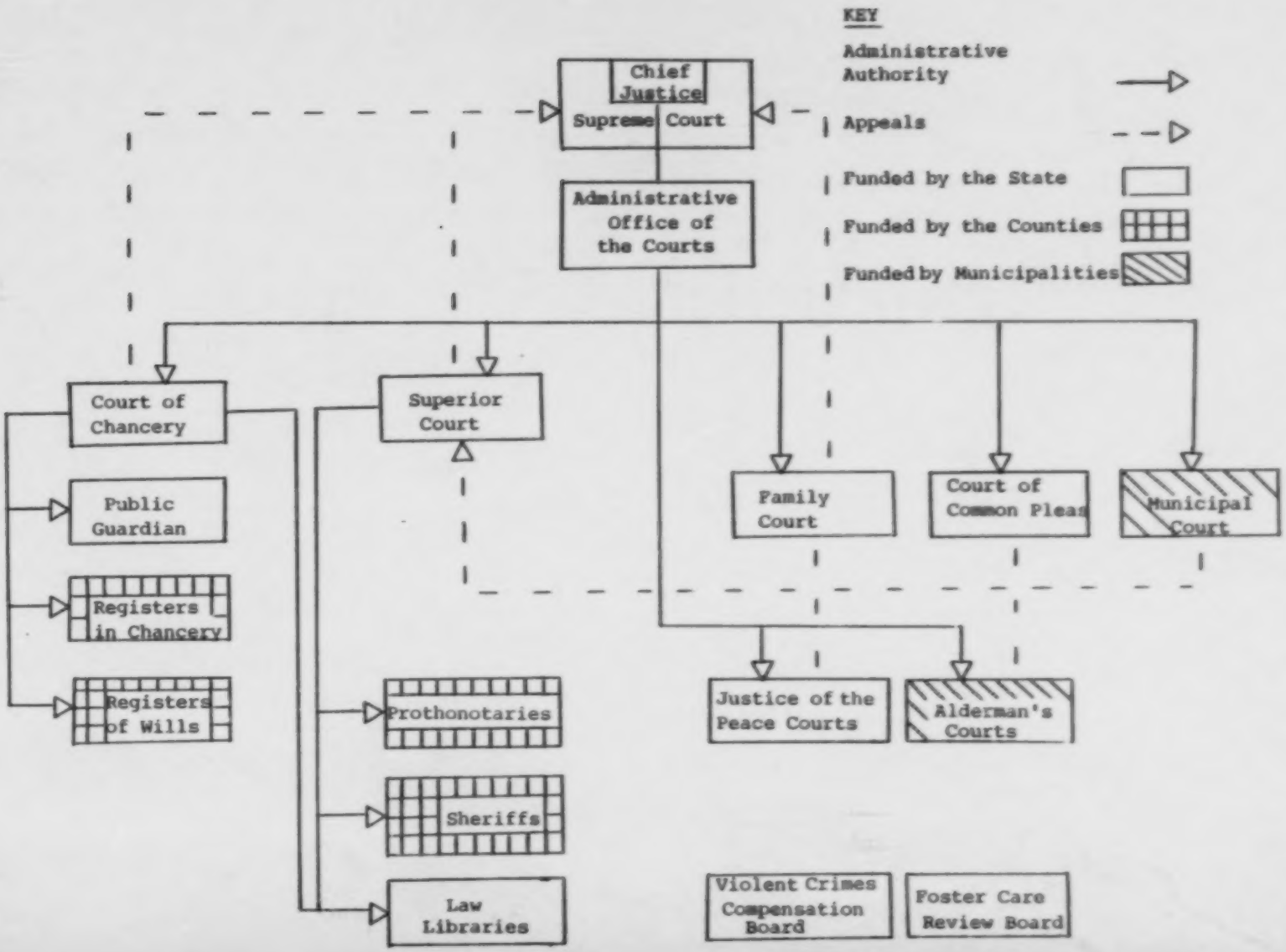
Introduction & Overview

THE DELAWARE JUDICIAL SYSTEM



SUMMARY OF JUDICIAL BUDGETS
FISCAL YEARS 1983-1984-1985-1986

	F.Y. 1983 Actual Disbursement	F.Y. 1984 Actual Disbursement	F.Y. 1985 Budget	F.Y. 1986 Request
STATE*				
Administrative Office of the Courts	$ 2,238,400	$ 2,802,700	$ 2,925,000	$ 4,607,600
Supreme Court	691,900	864,100	960,000	1,127,100
Court of Chancery	414,100	532,400	829,100	912,800
Public Guardian	90,000	107,000	123,800	142,500
Superior Court	2,508,200	3,141,900	3,598,300	5,444,900
Law Libraries	175,000	235,200	273,500	304,200
Family Court	5,575,500	5,676,000	7,446,100	7,445,600
Court of Common Pleas	1,145,000	1,474,200	1,902,600	2,510,000
Justice of the Peace Courts	3,270,300	4,083,900	4,703,600	5,896,700
Violent Crimes Compensation Board	423,800	509,000	570,700	711,800
Foster Care Review Board	94,000	103,700	123,200	130,500
STATE TOTALS	$16,626,200	$19,530,100	$23,455,900	$29,233,700
NEW CASTLE COUNTY				
Register in Chancery	$ 339,168	$ 355,247	$ 408,051	N.A.
Register of Wills	384,396	377,421	435,119	N.A.
Prothonotary	1,164,677	1,128,101	1,302,983	N.A.
Sheriff	799,732	854,666	870,277	N.A.
NEW CASTLE COUNTY TOTALS	$ 2,687,973	$ 2,715,435	$ 3,016,430	N.A.
KENT COUNTY				
Register in Chancery	$ 50,525	$ 55,368	$ 55,046	N.A.
Register of Wills	38,200	45,392	42,655	N.A.
Prothonotary	107,212	120,525	136,163	N.A.
Sheriff	75,536	81,780	83,921	N.A.
KENT COUNTY TOTALS	$ 271,473	$ 303,065	$ 317,785	N.A.

*Figures include State governed funds, federal funds, and other funds.

N.A. = Not Available

SUMMARY OF JUDICIAL BUDGETS (CONTINUED)
FISCAL YEARS 1983-1984-1985-1986

	F.Y. 1983 Actual Disbursement	F.Y. 1984 Actual Disbursement	F.Y. 1985 Budget	F.Y. 1986 Request
SUSSEX COUNTY				
Register in Chancery	$ 36,710	$ 38,833	$ 43,252	N.A.
Register of Wills	36,475	36,833	44,047	N.A.
Prothonotary	69,528	69,415	82,351	N.A.
Sheriff	79,134	80,385	86,048	N.A.
SUSSEX COUNTY TOTALS	$ 221,847	$ 225,466	$ 255,698	N.A.
MUNICIPALITIES				
Municipal Court*	$ 774,715	$ 741,859	$ 808,874	$ 864,680
Alderman's Courts	N.A.	N.A.	N.A.	N.A.
MUNICIPALITIES TOTALS	N.A.	N.A.	N.A.	N.A.
GRAND TOTALS - JUDICIAL BRANCH**	$20,582,208	$23,515,925	$27,854,687	$30,098,380

N.A. = Not Available
*Figures include City of Wilmington funds and federal funds.
**Alderman's Courts not included in any totals. Totals for FY 1986 include only State totals and Municipal Court.

COURT-GENERATED REVENUE*

FISCAL YEAR 1984

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Operating Budget##
SUBMITTED TO STATE GENERAL FUND						
Administrative Office of the Courts	$ 0	$ 0	$ 0	$ 500	$ 500	¶
Supreme Court	9,200	0	0	400	9,600	1.1%
Court of Chancery	0	0	358,400	4,800	363,200	68.2%
Public Guardian	0	0	0	6,800	6,800	6.4%
Superior Court	19,200	6,500	3,700	500	29,900	1.0%
Law Libraries	0	0	0	0	0	0.0%
Family Court	328,200	31,300	0	8,700	368,200	6.5%
Court of Common Pleas	87,300	189,600	0	5,000	281,900	19.1%
Justice of the Peace Courts	1,527,100	1,922,900	0	7,400	3,457,400	84.7%
Foster Care Review Board	0	0	0	0	0	0.0%
STATE GENERAL FUND TOTALS	$1,971,000	$2,150,300	$362,100	$34,100	$4,517,500	23.1%
RECEIVED BY VICTIMS COMPENSATION FUND						
Superior Court	-	$ 41,199	-	-	$ 41,199	-
Family Court	-	2,371	-	-	2,371	-
Court of Common Pleas	-	43,512	-	-	43,512	-
Municipal Court	-	80,423	-	-	80,423	-
Justice of the Peace Courts	-	397,812	-	-	397,812	-
Alderman's Courts	-	82,562	-	-	82,562	-
Violent Crimes Compensation Board	-	-	-	-	0	127.3%¶¶
VICTIMS COMPENSATION FUND TOTALS	-	$ 647,879	-	-	$ 647,879	127.3%¶¶
SUBMITTED TO NEW CASTLE COUNTY						
Register in Chancery	$ 171,589	$ 0	$336,900	$ 0	$ 508,489	143.1%
Register of Wills	980,941	0	87,455	0	1,068,396	283.1%
Prothonotary	380,060	0	40,190	0	420,250	37.3%
Sheriff	215,601	0	0	0	215,601	25.2%
NEW CASTLE COUNTY TOTALS	$1,748,191	$ 0	$464,545	$ 0	$2,212,736	81.5%

*Figures represent only revenue actually collected, not the total amount of fines and costs actually assessed.

**Counties receive 50% of all Court of Chancery interest money and 25% of all Superior Court interest money.

#Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, copying machine revenue, and escheated funds.

##FY 1984 Revenue divided by FY 1984 Actual Disbursement, which includes State general, federal, and other funds.

¶Less than one-tenth of 1%.

¶¶All Victims Compensation Fund monies collected by other courts are submitted to the Violent Crimes Compensation Board.

COURT-GENERATED REVENUE (CONTINUED)*

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Operating Budget##
SUBMITTED TO KENT COUNTY						
Register in Chancery	$ 7,447	$ 0	591	$ 0	$ 8,038	14.5%
Register of Wills	107,357	0	0	0	107,357	236.5%
Prothonotary	34,087	0	186	0	34,273	28.4%
Sheriff	6,722	0	0	0	6,722	8.2%
KENT COUNTY TOTALS	$ 155,613	$ 0	777	$ 0	$ 156,390	51.6%
SUBMITTED TO SUSSEX COUNTY						
Register in Chancery	$ 15,551	$ 0	$ 1,812	$ 0	$ 17,363	44.7%
Register of Wills	267,929	0	0	0	267,929	727.4%
Prothonotary	42,234	8,156	1,250	0	51,640	74.4%
Sheriff	17,410	0	0	0	17,410	21.7%
SUSSEX COUNTY TOTALS	$ 343,124	$8,156	$ 3,062	$ 0	$ 354,342	157.2%
SUBMITTED TO MUNICIPALITIES						
Municipal Court	$ 102,102	$ 422,037	$ 0	$ 0	$ 524,139	70.7%
Justice of the Peace Courts	0	581,818	0	0	581,818	14.3%
Alderman's Courts	185,987	552,913	0	68	$ 738,968	N.A.
MUNICIPALITIES TOTALS	$ 288,089	$1,556,768	$ 0	$ 68	$1,044,925	N.A.
GRAND TOTALS - JUDICIAL BRANCH	$4,506,017	$4,363,103	$830,484	$34,168	$9,733,772	41.4%§

N.A. = Not Available

*Figures represent only revenue actually collected, not the total amount of fines and costs actually assessed.

**Counties receive 50% of all Court of Chancery interest money and 25% of all Superior Court interest money.

#Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, copying machine revenue, and escheated funds.

##FY 1984 Revenue divided by FY 1984 Actual Disbursement, which includes State general, federal, and other funds.

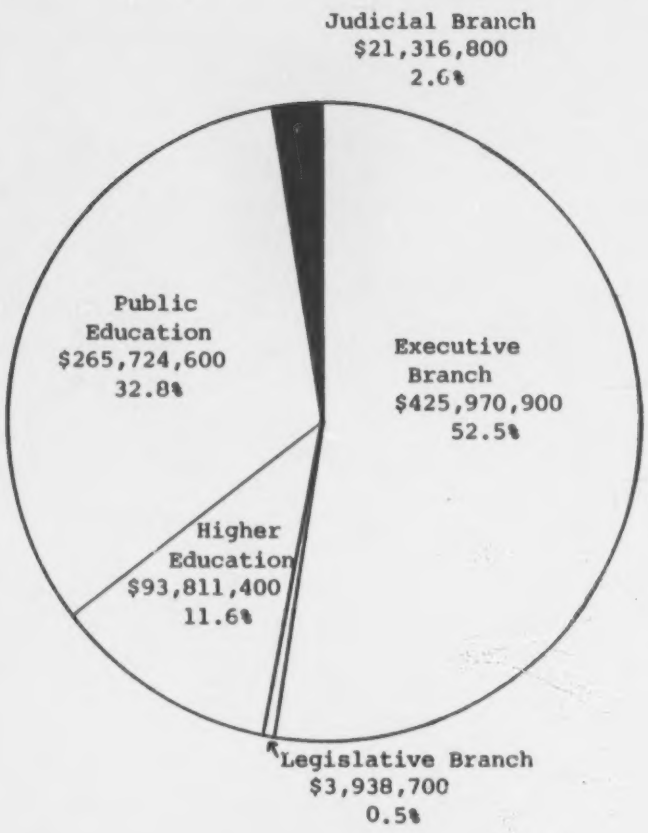
¶Total revenue generated by the Justice of the Peace Courts in FY 1984 was $4,039,218, which represents 98.9% of expenditures for that year.

§This figure is approximate as some expenditure data is not available.

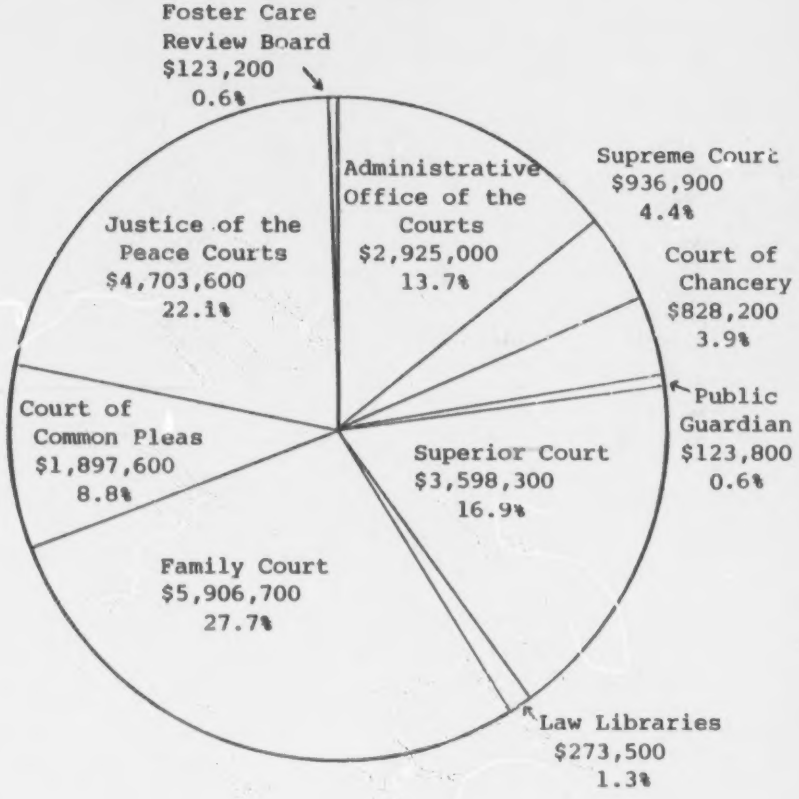
DELAWARE STATE GOVERNMENT APPROPRIATIONS*

FISCAL YEAR 1985

STATE APPROPRIATIONS - TOTAL
$810,762,400



STATE APPROPRIATIONS - JUDICIARY
$21,316,800**



*State general fund monies only.
**Excludes $570,700 in special fund monies appropriated to the Violent Crimes Compensation Board.

Source: 132nd General Assembly, Senate Substitute No. 1 for Senate Bill No. 454.

Administrative Office of the Courts

ADMINISTRATIVE OFFICE OF THE COURTS

Legal Authorization

The Administrative Office of the Courts was established by 10 Delaware Code, Chapter 1, during the 1971 General Assembly.

Duties

The Administrative Office of the Courts serves as the focal point for coordination and communications concerning all court administrative activities in the judicial system. The office prepares budgets for the Supreme Court, Court of Chancery, and the Foster Care Review Board, and assists in preparation of the budgets of the Public Guardian and the Law Libraries. It administers the payment of all jurors and witnesses. The AOC is largely responsible for the acquisition of space or facilities for the judicial system, and is responsible for the supervision of lease negotiations and the payment of certain rentals. It has primary responsibility for the acquisition, supervision, and administration of federal funds received to assist the court system. It is also responsible for personnel administration for non-Merit Courts. The Administrative Office of the Courts has responsibility for the development and maintenance of the statewide judicial information system. Also, the AOC acts as the focal point between the court system and other government agencies on the local, state, and federal levels. The Administrative Office of the Courts collects statistics from the various courts and produces the Annual Report of the Judiciary. The AOC also performs other duties as prescribed by the Chief Justice.

Personnel

The Director of the Administrative Office of the Courts is appointed by and serves at the pleasure of the Chief Justice of the Supreme Court of the State of Delaware.

The Director may, with the approval of the Chief Justice, appoint such assistants and clerical personnel as are required.

ADMINISTRATIVE OFFICE OF THE COURTS

Main Office
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801
(571-2480)

Data Processing Center
Mezzanine
Public Building
1020 King Street
Wilmington, DE 19801
(571-2344)

PERSONNEL

Director
John R. Fisher
Carolyn Walker, Secretary

Deputy Director
Lowell L. Groundland

Manager, Information Resources
James D. Brown

Research Assistant
Adam Golby

Secretary
Maria Cook

Personnel Manager
Robert A. Homiller

Personnel Assistant
E. Lynn Deramo-Durr

Supervisor of Accounting
E. Dawn Bowman

Accounting Clerk
Georgia A. Roberts

Secretary
Sharon McClure

Data Processing Manager
James P. Boulanger

Lead Programmer/Analyst
Donald L. Hudgins

Programmer/Analyst
Ernest J. Hoh
William T. Carotenuto
Robert N. Parlier
Elizabeth G. Bachmurski
Yoon-Hee Wang

Computer Operators
Patricia A. Hall
Edward M. Stone

Supreme Court

SUPREME COURT

Authorization

The Supreme Court is created by the Constitution of Delaware, Article IV, Section I. The Supreme Court has statewide jurisdiction and sits in Dover.

Jurisdiction

The Court has final appellate jurisdiction in criminal cases in which the sentence exceeds certain minimums and in civil cases as to final judgments and certain other orders of Superior Court, Court of Chancery, and Family Court. Appeals are heard on the record. The Supreme Court has jurisdiction to issue writs of prohibition, quo warranto, certiorari, and mandamus.

Justices

The Supreme Court consists of a Chief Justice and four Justices, who are appointed by the Governor with the consent of the Senate. The Justices are appointed for 12-year terms and must be learned in the law and citizens of the State. Three of the Justices must be of one of the major political parties while the other two Justices must be of the other major political party.

Administration

The Chief Justice is responsible for the administration of all courts in the State and appoints a Director of the Administrative Office of the Courts to manage the non-judicial aspects of court administration. The Supreme Court is staffed by a Court Administrator, a Clerk, law clerks, and secretaries.

Caseload Trend

Workload for FY 1984 seems to indicate that the extremely high workload for FY 1983 was an unusual fiscal year rather than an indication of further Supreme Court workload. There was a decrease of almost 20% in both filings and dispositions during FY 1984 from the FY 1983 workload. This is seen in the decrease in filings from 413 in FY 1983 to 336 in FY 1984 and in the drop in dispositions from 446 in FY 1983 to 359 in FY 1984. Pending dropped by 8.8% from 262 at the end of FY 1983 to 239 at the end of FY 1984.

Despite the substantial drop in dispositions in FY 1984, the average elapsed time changed only slightly from FY 1983. Criminal appeals averaged 256.3 days to disposition during FY 1984, which was 5.1% less than the average of 270.6 days in FY 1983, while the average elapsed time for civil dispositions actually increased slightly from 214.8 days in FY 1983 to 216.7 days in FY 1984. The result of these limited changes was an overall decrease for elapsed time per disposition from 232.4 days in FY 1983 to 227.0 days in FY 1984.

SUPREME COURT

JUDICIARY

NEW CASTLE COUNTY

Chief Justice
Hon. Daniel L. Herrmann (D, 8/9/85)
Sally McKendrick, Secretary
(571-2427)

Justices
Hon. Andrew G.T. Moore, II (D, 5/24/94)
Kathleen G. McDonald, Secretary
(571-3730)
Hon. Andrew D. Christie (R, 3/23/95)
Elaine M. Ryan, Secretary
(571-3700)

KENT COUNTY

Justice
Hon. Henry R. Horsey (R, 10/30/90)
Audray F. Bacino, Secretary
(736-4214)

SUSSEX COUNTY

Justice
Hon. John J. McNeilly (R, 10/25/86)
Ida Mae Ellis, Secretary
(856-5363)

SUPREME COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Supreme Court Chambers
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801

Court Administrator
Stephen D. Taylor
(571-3706)

Administrative Secretary
Lois D. Taylor
(571-2429)

Law Clerks
Susan E. Chetlin
(571-3799)
David C. Weiss
(571-3736)
Carolyn Warter
(571-3722)

Receptionist
Deborah L. Collins
(571-2425)

KENT COUNTY

Supreme Court Building
55 The Green
P.O. Box 476
Dover, DE 19903

Clerk of the Supreme Court
Thomas I. Barrows, Esquire
(736-4155)

Secretary
Cathy L. Howard

Bailiff
Louise Cardwell

Kevin Slattery
(736-4214)

SUSSEX COUNTY

Supreme Court Chambers
208 Sussex County Courthouse
The Circle
Georgetown, DE 19947

Gerry J. Rehel
(856-5363)

SUPREME COURT

FISCAL YEAR 1984
WORKLOAD SUMMARY

	Pending 6/30/83	Filings	Dispositions	Pending 6/30/84	Change In Pending	% Change In Pending
Criminal Appeals	139	129	131	137	- 2	- 1.4%
Civil Appeals	109	186	204	91	-18	- 16.5%
Certifications	1	5	5	1	0	0.0%
Original Applications*	13	16	19	10	- 3	- 23.1%
TOTALS	262	336	359	239	-23	- 8.8%

COMPARISON - FISCAL YEARS 1983-1984
WORKLOAD

FILINGS

	1983	1984	Change	% Change
Criminal Appeals	163	129	-34	- 20.9%
Civil Appeals	225	186	-39	- 17.3%
Certifications	10	5	- 5	- 50.0%
Original Applications	15	9	- 6	- 40.0%
Bd. on Prof. Resp.	0	5	+ 5	-
Bd. of Bar Exam.	0	2	+ 2	-
TOTALS	413	336	-77	- 18.6%

DISPOSITIONS

	1983	1984	Change	% Change
Criminal Appeals	179	131	-48	- 26.8%
Civil Appeals	243	204	-39	- 16.1%
Certifications	13	5	- 8	- 61.5%
Original Applications	11	8	- 3	- 27.3%
Bd. on Prof. Resp.	0	7	+ 7	-
Bd. of Bar Exam.	0	4	+ 4	-
TOTALS	46	359	-87	- 19.5%

*Board of Bar Examiners and Board on Professional Responsibility are included with the original applications in the Workload Summary. Each is listed separately, however, in the Workload Comparison.

Bd. on Prof. Resp. = Board on Professional Responsibility
Bd. of Bar Exam. = Board of Bar Examiners

Source: Court Administrator and Clerk of the Supreme Court

SUPREME COURT

FISCAL YEAR 1984
WORKLOAD BREAKDOWNS

FILINGS

	Court of Chancery	Superior Court	Family Court	Non-Court Originated	TOTALS
Criminal Appeals	0 0.0%	129 100.0%	0 0.0%	0 0.0%	129 100.0%
Civil Appeals	24 12.9%	121 65.1%	41 22.0%	0 0.0%	186 100.0%
Certifications	0 0.0%	0 0.0%	0 0.0%	5 100.0%	5 100.0%
Original Applications	0 0.0%	0 0.0%	0 0.0%	9 100.0%	9 100.0%
Bd. on Prof. Resp.	0 0.0%	0 0.0%	0 0.0%	5 100.0%	5 100.0%
Bd. of Bar Exam.	0 0.0%	0 0.0%	0 0.0%	2 100.0%	2 100.0%
TOTALS	24 7.1%	250 74.4%	41 12.2%	21 6.3%	336 100.0%

DISPOSITIONS

	Court of Chancery	Superior Court	Family Court	Non-Court Originated	TOTALS
Criminal Appeals	0 0.0%	131 100.0%	0 0.0%	0 0.0%	131 100.0%
Civil Appeals	31 15.2%	132 64.7%	41 20.1%	0 0.0%	204 100.0%
Certifications	0 0.0%	0 0.0%	0 0.0%	5 100.0%	5 100.0%
Original Applications	0 0.0%	0 0.0%	0 0.0%	8 100.0%	8 100.0%
Bd. on Prof. Resp.	0 0.0%	0 0.0%	0 0.0%	7 100.0%	7 100.0%
Bd. of Bar Exam.	0 0.0%	0 0.0%	0 0.0%	4 100.0%	4 100.0%
TOTALS	31 8.6%	263 73.3%	41 11.4%	24 6.7%	359 100.0%

CHANGE IN PENDING

	Court of Chancery	Superior Court	Family Court	Non-Court Originated	TOTALS
Criminal Appeals	0	- 2	0	0	- 2
Civil Appeals	-7	-11	0	0	-18
Certifications	0	0	0	0	0
Original Applications	0	0	0	+1	+ 1
Bd. on Prof. Resp.	0	0	0	-2	- 2
Bd. of Bar Exam.	0	0	0	-2	- 2
TOTALS	-7	-13	0	-3	-23

Bd. on Prof. Resp. = Board on Professional Responsibility
Bd. of Bar Exam. = Board of Bar Examiners

Source: Court Administrator and Clerk of the Supreme Court

SUPREME COURT

TOTAL NUMBER OF APPEALS FILED - 1950-1984

Fiscal Year	Number
1984	336
1983	413
1982	389
1981	337
1980	333
1979	342
1978	363
1977	362
1976	341
1975	273
1974	255
1973	247
1972	250
1971	176
1970*	193
1969	180
1968	126
1967	123
1966#	104
1965#	115
1964#	105
1963#	97
1962#	89
1961#	68
1960#	63
1959#	79
1958#	63
1957#	49
1956#	56
1955#	21
1954#	33
1953#	32
1952#	35
1951#	26
1950#	13

*Beginning in 1970, cross-appeals were no longer counted separately.
#Calendar Year.

Source: Court Administrator and Clerk of the Supreme Court

SUPREME COURT

FISCAL YEAR 1984
WORKLOAD
TYPES OF DISPOSITIONS

APPEALS DISPOSITIONS

	Affirmed	Affirmed in Part	Reversed	Reversed and Remanded	Remanded	Voluntary Dismissal	Court Dismissal	Leave to Appeal Denied	TOTALS
Criminal Appeals	103 78.6%	4 3.1%	1 0.8%	1 0.8%	0 0.0%	10 7.6%	11 8.4%	1 0.8%	131 100.0%
Civil Appeals	109 53.4%	8 3.9%	2 1.0%	8 3.9%	1 0.5%	33 16.2%	25 12.3%	18 8.8%	204 100.0%
TOTALS	212 63.3%	12 3.6%	3 0.9%	9 2.7%	1 0.3%	43 12.8%	36 10.8%	19 5.7%	335 100.0%

MISCELLANEOUS DISPOSITIONS

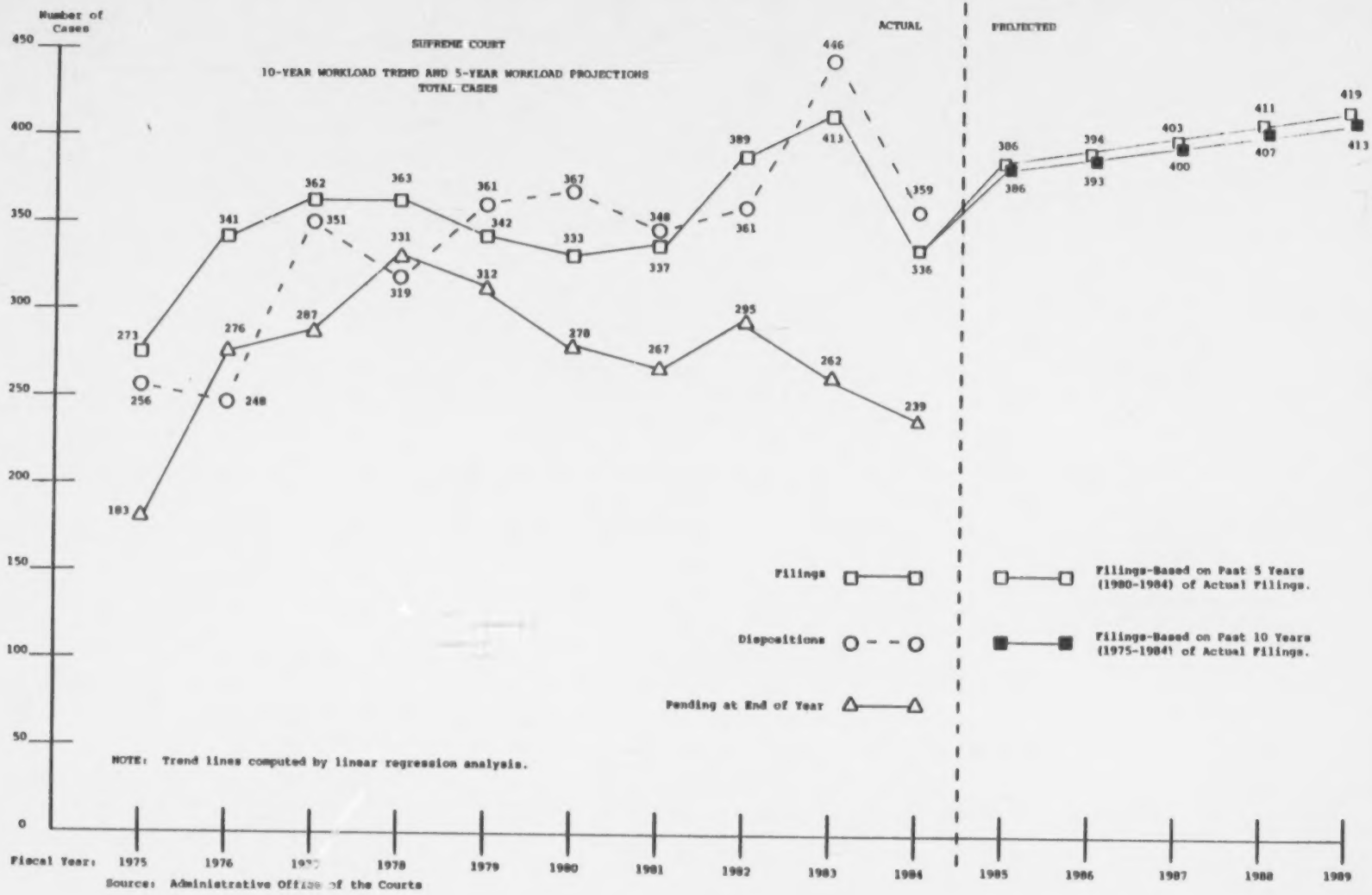
	Affirmed	Reversed	Suspension Imposed	Question Answered	Denied	Voluntary Dismissal	Court Dismissal	TOTALS
Certifications	0 0.0%	0 0.0%	0 0.0%	1 20.0%	3 60.0%	0 0.0%	1 20.0%	5 100.0%
Original Applications	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	1 12.5%	7 87.5%	8 100.0%
Bd. on Prof. Resp.	0 0.0%	0 0.0%	4 57.1%	0 0.0%	0 0.0%	1 14.3%	2 28.6%	7 100.0%
Bd. of Bar Exam.	2 50.0%	1 25.0%	0 0.0%	0 0.0%	1 25.0%	0 0.0%	0 0.0%	4 100.0%
TOTALS	2 8.3%	1 4.2%	4 16.7%	1 4.2%	4 16.7%	2 8.3%	10 41.7%	24 100.0%

METHODS OF DISPOSITIONS

	Assigned Opinion	Per Curiam Opinion	Written Order	Voluntary Dismissal	TOTALS
Criminal Appeals	16 12.2%	2 1.5%	103 78.6%	10 7.6%	131 100.0%
Civil Appeals	37 18.1%	10 4.9%	124 60.8%	33 16.2%	204 100.0%
Certifications	1 20.0%	0 0.0%	4 80.0%	0 0.0%	5 100.0%
Original Applications	0 0.0%	0 0.0%	7 87.5%	1 12.5%	8 100.0%
Bd. on Prof. Resp.	4 57.1%	0 0.0%	2 28.6%	1 14.3%	7 100.0%
Bd. of Bar Exam.	2 50.0%	1 25.0%	1 25.0%	0 0.0%	4 100.0%
TOTALS	60 16.7%	13 3.6%	241 67.1%	45 12.5%	359 100.0%

Bd. on Prof. Resp. = Board on Professional Responsibility
Bd. of Bar Exam. = Board of Bar Examiners

Source: Court Administrator and Clerk of the Supreme Court



Source: Administrative Office of the Courts

SUPREME COURT

FISCAL YEAR 1984
PERFORMANCE SUMMARY

	Number of Dispositions	Average Time from Filing to Disposition
Criminal Appeals	131	256.3 days
Civil Appeals*	204	216.7
Certifications	5	84.6
Original Applications	8	47.1
Bd. on Prof. Resp.	7	283.6
Bd. of Bar Exam.	4	238.0
TOTALS*	359	227.0 days

COMPARISON - FISCAL YEARS 1983-1984
PERFORMANCE SUMMARY

AVERAGE TIME FROM FILING TO DISPOSITION

	1983	1984	Change	% Change
Criminal Appeals	270.6 days	256.3 days	- 13.7 days	- 5.1%
Civil Appeals*	214.8	216.7	+ 1.9	+ 0.9%
Certifications	142.2	84.6	- 57.6	-40.5%
Original Applications	89.0	47.1	- 41.9	-47.1%
Bd. on Prof. Resp.	281.0	283.6	+ 2.6	+ 0.9%
Bd. of Bar Exam.	-	238.0	-	-
TOTALS*	232.4 days	227.0 days	- 5.4 days	- 2.3%

*This includes a civil appeal which took 3,019 days from filing to disposition. If this case is excluded, 203 civil dispositions would remain for FY 1984 with an average elapsed time from filing to disposition of 202.9 days. This would be 11.9 days less than the FY 1983 average, a drop of 5.5%. The average elapsed time for the 358 Supreme Court dispositions for FY 1984 would be reduced to 219.2 days, which is 13.2 days less than the FY 1983 average, a decrease of 5.7%.

Bd. on Prof. Resp. = Board on Professional Responsibility
Bd. of Bar Exam. = Board of Bar Examiners

Source: Court Administrator and Clerk of the Supreme Court; Administrative Office of the Courts

SUPREME COURT

FISCAL YEAR 1984
PERFORMANCE BREAKDOWNS

ELAPSED TIME BY DISPOSITION TYPE

Type of Disposition	Number of Dispositions	Average Time from Filing to Disposition
Affirmed	214	263.7 days
Affirmed in Part	12	335.6
Reversed	4	277.3
Reversed and Remanded	9	297.8
Remanded	1	365.0
Voluntary Dismissal*	45	211.3
Court Dismissal	46	101.9
Leave to Appeal Denied	19	24.6
Question Answered	1	339.0
Denied	4	19.3
Suspension Imposed	4	457.0
TOTALS*	359	227.0 days

ELAPSED TIME BY DISPOSITION METHOD

Method of Disposition	Number of Dispositions	Average Time from Filing to Disposition
Assigned Opinion	60	383.3 days
Per Curium Opinion	13	235.2
Written Order	241	190.7
Voluntary Dismissal*	45	211.3
TOTALS*	359	227.0 days

*A single case which took 3,019 days from filing to disposition distorts the data somewhat. If this case is not counted, there would be 44 cases disposed of by voluntary dismissal with an average elapsed time of 147.5 days and a total of 358 cases disposed with an average elapsed time of 219.2 days.

Source: Court Administrator and Clerk of the Supreme Court; Administrative Office of the Courts

Court of Chancery

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, authorizes the Court of Chancery.

Geographic Organization

The Court of Chancery holds court in Wilmington, Dover, and Georgetown; that is, at one location in each county in the county seat.

Legal Jurisdiction

The Court of Chancery has jurisdiction to hear and determine all matters and causes in equity. The general equity jurisdiction of the Court is measured in terms of the general equity jurisdiction of the High Court of Chancery of Great Britain as it existed prior to the separation of the American Colonies. The General Assembly may confer upon the Court of Chancery additional statutory jurisdiction. In today's practice, the litigation in the Court of Chancery consists largely of corporate matters, trusts, estates, and other fiduciary matters, disputes involving the purchase and sale of land, and the clearing of clouds on title, as well as commercial and contractual matters in general. When issues of fact to be tried by jury arise, the Court of Chancery may order such facts to trial by issues in Superior Court.

Judges

With the authorization for an additional Vice-Chancellor given to the Court of Chancery, it now consists of one Chancellor and three Vice-Chancellors. The Chancellor and Vice-Chancellors are appointed by the Governor with the consent of the majority of the Senate's elected members for 12 year terms. The Chancellor and Vice-Chancellors must be learned in the law and must be Delaware citizens.

Support Personnel

The Chancellor may appoint court reporters, bailiffs, criers or pages, and law clerks. The Chancellor or Vice-Chancellor resident in the county is to appoint one Chief Deputy Register in Chancery in each county.

The Register of Wills acts as a Clerk of the Court of Chancery for probate matters. The majority of the Register's former judicial and quasi-judicial powers are now held by the Court of Chancery. A Register of Wills is elected in each county for that county. The Chancellor names a Chief Deputy Register of Wills for each county.

Public Guardian

The Chancellor has the duty to appoint the Public Guardian. The Public Guardian serves, when appointed by the Court, as the guardian of the person or property of the aged, the mentally infirm, and the physically incapacitated. Under the law, the Public Guardian is intended to be the guardian of last resort.

Caseload Trend

The increase in civil filings of 91 cases from 503 cases in FY 1983 to 594 cases in FY 1984 was due to an increase in New Castle County from 401 filings in FY 1983 to 494 filings in FY 1984. Dispositions for the State decreased from 546 in FY 1983 to 524 in FY 1984, a decrease in dispositions of 4.0% during FY 1984. Pending rose by 8.8% from 793 at the end of FY 1983 to 863 at the end of FY 1984 as a result of the increase in filings and the decrease in dispositions.

Miscellaneous matters filed in the Court of Chancery rose very slightly from 554 in FY 1983 to 558 in FY 1984. A drop in dispositions from 457 in FY 1983 to 391 in FY 1984, a 14.4% drop, meant that at the end of FY 1984 there were 4,845 miscellaneous matters pending as compared with 4,678 pending at the end of FY 1983, a 3.6% increase. The number of estates filed dropped by 2.0% from 1,765 in FY 1983 to 1,730 in FY 1984. Dispositions fell as well, decreasing by 5.4% from 1,795 to 1,699 in FY 1984. There was a 1.3% increase in pending at the end of the year from 2,312 at the end of FY 1983 to 2,343 at the end of FY 1984.

COURT OF CHANCERY

JUDICIARY

Chancellor

Hon. Grover C. Brown (R, 5/13/94)
Mary Lou Wilcoxson, Secretary
(856-5338, 571-2442)

Vice-Chancellors

Hon. Maurice A. Hartnett, III (D, 9/29/88)
Shirley D. Wood, Secretary
Joyce D. Stockslager, Secretary
(736-4397, 571-2440)

Hon. Carolyn Berger (D, 3/27/96)
Rosalie Barbera, Secretary
(571-2443)

Hon. Joseph T. Walsh (D, 7/1/96)
Linda Flohr, Secretary
(571-2441)

COURT OF CHANCERY

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Court of Chancery
134 Public Building
1020 North King Street
Wilmington, Delaware 19801

Master in Chancery
Richard C. Kiger, Esquire

Court Reporters
Henry D. Skogmo, Chief
(571-2447)
Lorraine B. Marino
(571-2448)

Judicial Secretary - Receptionist
Vickie L. Lally
(571-2440)

Law Clerks
Maureen F. Blanding
(571-2444)
Kennett A. Carson
(571-2348)
Carolyn D. Mack
(571-2348)

KENT COUNTY

Court of Chancery
48 The Green
Dover, Delaware 19901

SUSSEX COUNTY

Court of Chancery
Sussex County Courthouse
The Circle
Georgetown, Delaware 19947

REGISTERS IN CHANCERY

NEW CASTLE COUNTY

Register in Chancery
Mezzanine Public Building
1020 King Street
Wilmington, Delaware 19801
(571-7540)

Registers in Chancery
John D. Kelly, III

Chief Deputies
Jane L. Koke
Milton Roger Holmes

KENT COUNTY

Register in Chancery
Kent County Courthouse
38 The Green
Dover, Delaware 19901
(736-2242; 736-2243)

Stanley Wayne Anthony

Loretta L. Wootten

SUSSEX COUNTY

Register in Chancery
Sussex County Courthouse
The Circle
Georgetown, Delaware 19947
(856-7701, X250)

Harvey F. Donovan, Sr.

Bonnie E. Gregory

COURT OF CHANCERY

SUPPORT PERSONNEL (CONT'D)

Deputies

Patricia G. Randolph
Eleanor M. Riley

Lydia M. McClary

Shirley S. Sommers

COURT OF CHANCERY

REGISTERS OF WILLS

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Register of Wills Mezzanine Public Building 1020 North King Street Wilmington, Delaware 19801 (571-7545)	Register of Wills Kent County Courthouse 38 The Green Dover, Delaware 19901 (736-2233)	Register of Wills Sussex County Courthouse P.O. Box 111 The Circle Georgetown, Delaware 19947 (856-7701, X206)
<u>Registers of Wills</u> Rita Justice Diane Clark, Secretary	Sandra W. Dean	Wilson O. McCabe, Jr.
<u>Chief Deputies</u> Patricia A. Oleskay Grover C. Luttrell, Jr.	Francine Gilbert	Isabelle P. Morris
<u>Deputies</u> Lillian Kleveland Adelaide Giacoma	Susan Stiers	Marie A. Scott
<u>Office Attorney</u> Stephen W. Spence		

COURT OF CHANCERY

FISCAL YEAR 1984
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/83	Filings	Dispositions	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle	589	494	405	678	+89	+15.1%
Kent	91	38	49	80	-11	-12.1%
Sussex	113	62	70	105	- 8	- 7.1%
State	793	594	524	863	+70	+ 8.8%

COMPARISON - FISCAL YEARS 1983-1984
CIVIL CASES
WORKLOAD

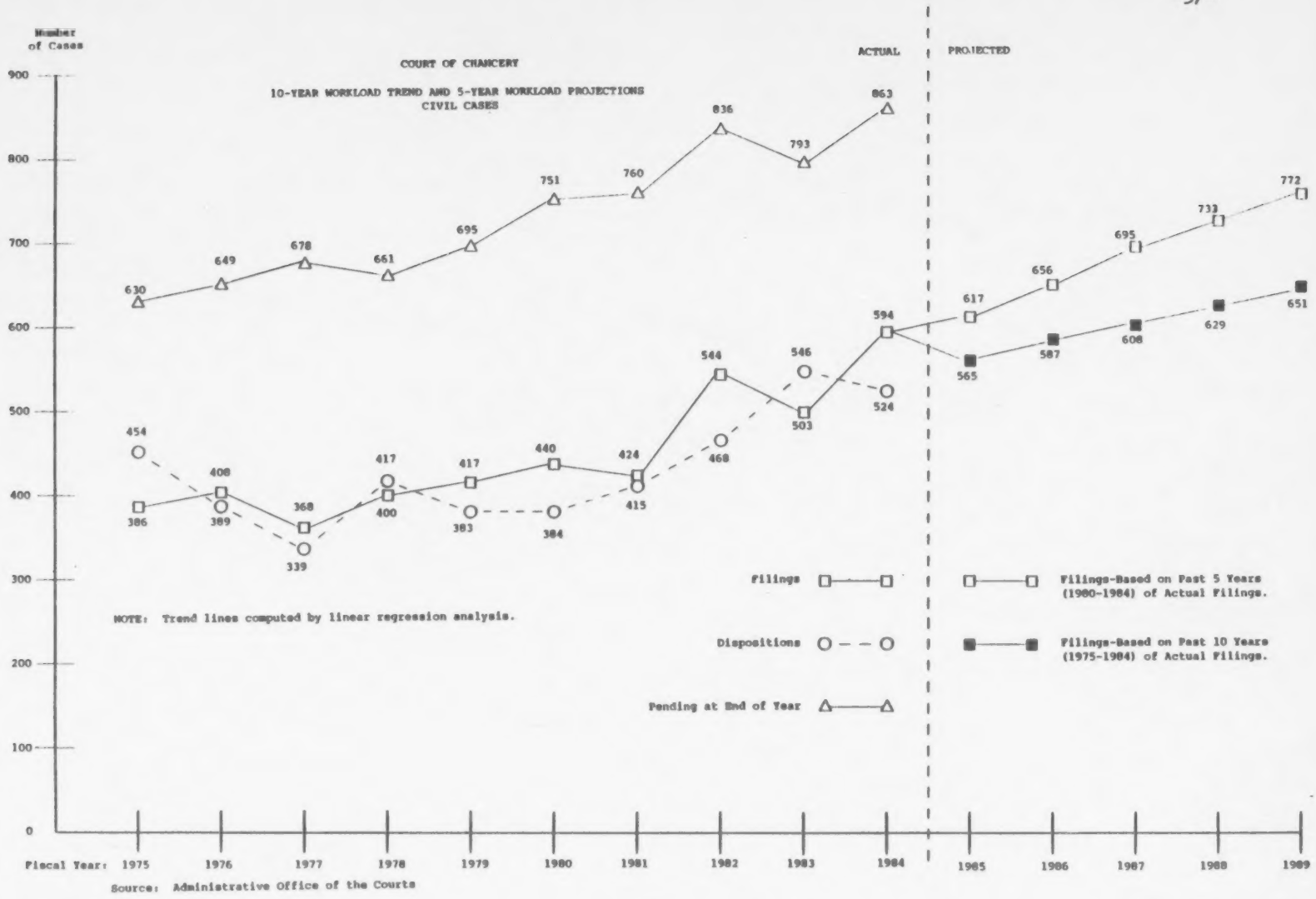
FILINGS

	1983	1984	Change	% Change
New Castle	401	494	+ 93	+23.2%
Kent	44	38	- 6	-13.6%
Sussex	58	62	+ 4	+ 6.9%
State	503	594	+ 91	+18.1%

DISPOSITIONS

	1983	1984	Change	% Change
New Castle	429	405	- 24	- 5.6%
Kent	51	49	- 2	- 3.9%
Sussex	66	70	+ 4	+ 6.1%
State	546	524	- 22	- 4.0%

Source: New Castle County, Kent County, and Sussex County Registers in Chancery



Source: Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1984
MISCELLANEOUS MATTERS
WORKLOAD SUMMARY

	Pending 6/30/83	Filings	Dispositions	Pending 6/30/84	Change	% Change In Pending
New Castle	2,991	306	214	3,083	+ 92	+3.1%
Kent	598	59	30	627	+ 29	+4.9%
Sussex	1,089	193	147	1,135	+ 46	+4.2%
State	4,678	558	391	4,845	+167	+3.6%

COMPARISON - FISCAL YEARS 1983-1984
MISCELLANEOUS MATTERS

FILINGS

	1983	1984	Change	% Change
New Castle	271	306	+35	+12.9%
Kent	77	59	-18	-23.4%
Sussex	206	193	-13	- 6.3%
State	554	558	+ 4	+ 0.7%

DISPOSITIONS

	1983	1984	Change	% Change
New Castle	299	214	-85	-28.4%
Kent	27	30	+ 3	+11.1%
Sussex	131	147	+16	+12.2%
State	457	391	-66	-14.4%

Source: New Castle County, Kent County, and Sussex County Registers in Chancery

COURT OF CHANCERY

FISCAL YEAR 1984
MISCELLANEOUS MATTERS
WORKLOAD BREAKDOWNS

FILINGS

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	100 32.7%	111 36.3%	4 1.3%	69 22.6%	22 7.2%	306 100.0%
Kent	26 44.1%	22 37.3%	2 3.4%	7 11.9%	2 3.4%	59 100.0%
Sussex	23 11.9%	46 23.8%	0 0.0%	74 38.3%	50 25.9%	193 100.0%
State	149 26.7%	179 32.1%	6 1.1%	150 26.9%	74 13.3%	558 100.0%

DISPOSITIONS

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	69 32.2%	48 22.4%	0 0.0%	91 42.5%	6 2.8%	214 100.0%
Kent	17 56.7%	6 20.0%	0 0.0%	4 13.3%	3 10.0%	30 100.0%
Sussex	24 16.3%	45 30.6%	0 0.0%	26 17.7%	52 35.4%	147 100.0%
State	110 28.1%	99 25.3%	0 0.0%	121 31.0%	61 15.6%	391 100.0%

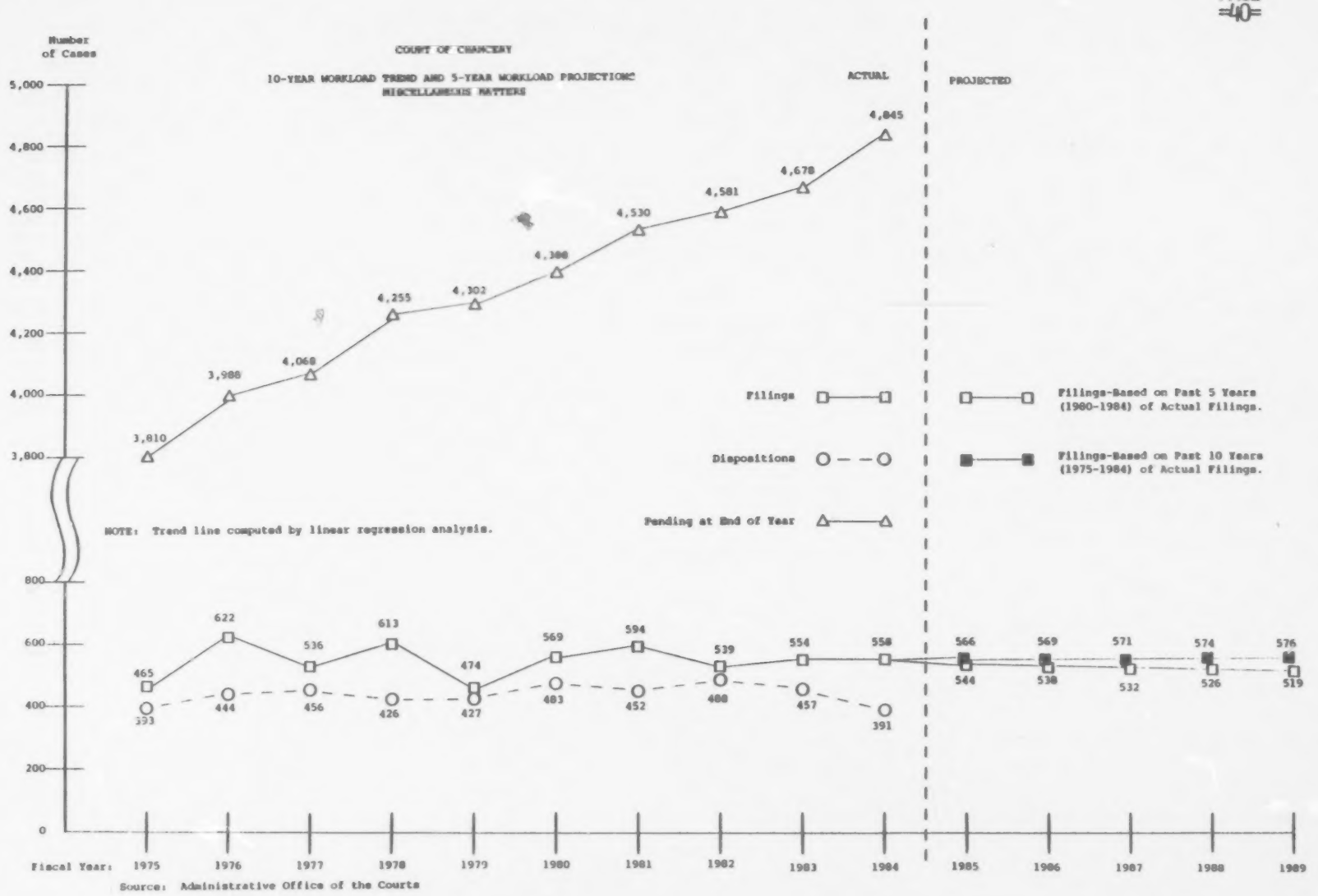
PENDING AT END OF YEAR

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	438 14.2%	816 26.5%	157 5.1%	1,312 42.6%	360 11.7%	3,083 100.0%
Kent	266 42.4%	193 30.8%	17 2.7%	138 22.0%	13 2.1%	627 100.0%
Sussex	304 26.8%	106 9.3%	16 1.4%	689 60.7%	20 1.8%	1,135 100.0%
State	1,008 20.8%	1,115 23.0%	190 3.9%	2,139 44.2%	393 8.1%	4,845 100.0%

CHANGE IN PENDING

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	+ 31	+ 63	+ 4	- 22	+ 16	+ 92
Kent	+ 9	+ 16	+ 2	+ 3	- 1	+ 29
Sussex	- 1	+ 1	0	+ 48	- 2	+ 46
State	+ 39	+ 80	+ 6	+ 29	+ 13	+167

Source: New Castle County, Kent County, and Sussex County Registers in Chancery



Source: Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1984
ESTATES
WORKLOAD SUMMARY

	Pending 6/30/83	Estates Opened	Estates Closed	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle	934	1,065	1,068	931	- 3	- 0.3%
Kent	856	265	237	884	+ 28	+ 3.3%
Sussex	522	400	394	528	+ 6	+ 1.2%
State	2,312	1,730	1,699	2,343	+ 31	+ 1.3%

COMPARISON - FISCAL YEARS 1983-1984
ESTATES
WORKLOAD

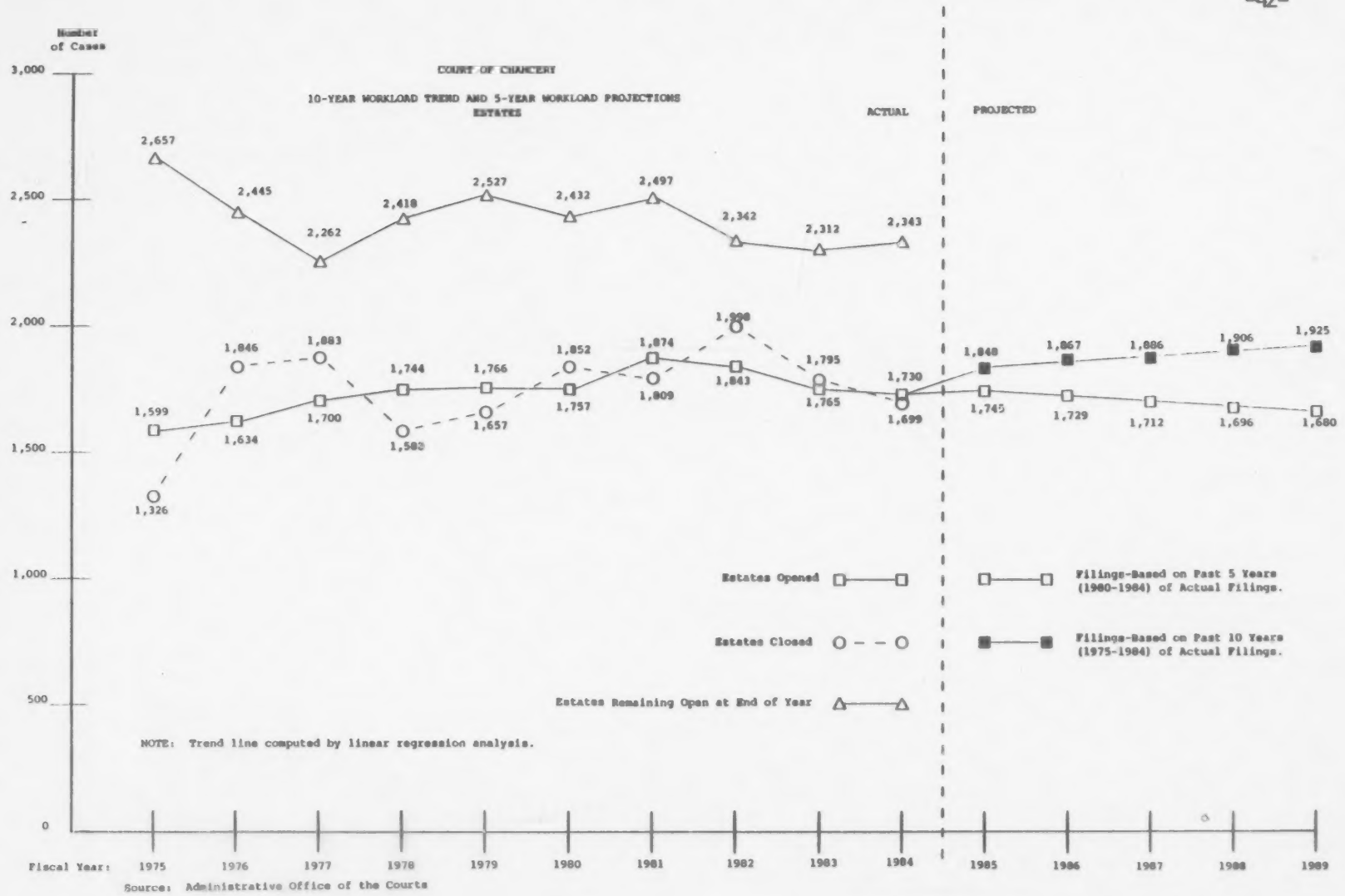
ESTATES OPENED

	1983	1984	Change	% Change
New Castle	1,102	1,065	- 37	- 3.4%
Kent	266	265	- 1	- 0.4%
Sussex	397	400	+ 3	+ 0.8%
State	1,765	1,730	- 35	- 2.0%

ESTATES CLOSED

	1983	1984	Change	% Change
New Castle	1,168	1,068	-100	- 8.6%
Kent	216	237	+ 21	+ 9.7%
Sussex	411	394	- 17	- 4.1%
State	1,795	1,699	- 96	- 5.4%

Source: New Castle County, Kent County, and Sussex County Registers of Wills



Source: Administrative Office of the Courts

Public Guardian

PUBLIC GUARDIAN

Legal Authorization

The authority for the Office of the Public Guardian is derived from Title 12, § 3991, of the Delaware Code, which states that:

"There is established the Office of the Public Guardian. The Chancellor shall appoint the Public Guardian, who shall serve at his pleasure ..."

Geographic Organization

The Office of the Public Guardian has responsibility for the entire State and presents its petitions for guardianships in the Court of Chancery in all three counties.

Legal Jurisdiction

The powers and duties of the Public Guardian are stated in Title 12, §3992, of the Delaware Code:

"The Public Guardian, when appointed as guardian by Court order, shall:

1. Serve as a guardian for the property of aged, mentally infirm or physically incapacitated persons, pursuant to §3914 of this Title;

2. Serve as a guardian for the person of aged, mentally or physically incapacitated persons where such persons are in danger of substantially endangering their health, or of becoming subject to abuse by other persons, or of becoming the victim of designing persons; or

3. Serve as both guardian of the person and of property of such person."

The legislation creating the Office of the Public Guardian creates a guardianship capability for a person needing a guardian but who does not have a relative, friend, or other person interested in or capable of serving as a guardian, whose estate is insufficient to purchase the services of a private guardian, or who would best be served by a neutral guardian. This has resulted in the Office of the Public Guardian serving as consultant to agencies, attorneys, or families about guardianship matters.

Personnel

The Public Guardian is aided by a staff assistant, one full-time and one part-time caseworker, and an accounting clerk.

Caseload

The Office of the Public Guardian received 128 referrals during FY 1984 of which 12 were determined to need the services of the Public Guardian as a guardian and petitions were presented in the appropriate counties in these cases. The Public Guardian was responsible for 50 wards as of June 30, 1984.

The remaining 116 referrals were determined not to need guardianship to resolve their problems and were served by utilizing the resources of other state and private agencies to aid the client, involving the family of the client, helping the client take some voluntary action on his own behalf, or offering counseling to help the client solve his own problems.

31 Delaware Code, §3908, deals with the establishment of adult protective services and gives the Public Guardian the right to petition the Court of Chancery for an order which would permit the implementation of protective services on an emergency basis. This resulted in 17 referrals, of which 6 were actually filed for guardianship. This is included in the caseload for the Office of the Public Guardian.

PUBLIC GUARDIAN

New Castle County
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801
(571-2990)

Kent/Sussex County
Milford State Service Center
11/13 Church Avenue
Milford, DE 19963
(736-5631, 736-5632)

PERSONNEL

Public Guardian
Barbara F. Blevins

Staff Assistant
Barbara A. Walker

Caseworker
Patricia E. Gesler

Caseworker (Part-time)
Karen E. Bounds

Accounting Clerk
Marilyn Bergeron-Huard

PUBLIC GUARDIAN

FISCAL YEAR 1984
WORKLOAD SUMMARY

	Pending 6/30/83	New Referrals	Cases Closed	Pending 6/30/84	Change In Pending	% Change In Pending
Guardianships	44	12	6	50	+ 6	+ 13.6%
Investigations	4	116	109	11	+ 7	+175.0%
TOTALS	48	128	115	61	+13	+ 27.1%

COMPARISON - FISCAL YEARS 1983-1984
WORKLOAD

New Referrals

	1983	1984	Change	% Change
Guardianships	7	12	+ 5	+ 71.4%
Investigations	124	116	- 8	- 6.5%
TOTALS	131	128	- 3	- 2.3%

Cases Closed

	1983	1984	Change	% Change
Guardianships	7	6	- 1	- 14.3%
Investigations	123	109	-14	- 11.4%
TOTALS	130	115	-15	- 11.5%

Source: Office of the Public Guardian

Superior Court

SUPERIOR COURT

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, created the Superior Court.

Geographic Organization

Sessions of Superior Court are held in each of the three counties at the county seat.

Legal Jurisdiction

Superior Court has statewide original jurisdiction over criminal and civil cases, except equity cases, over which the Court of Chancery has exclusive jurisdiction. The Court's authority to award damages is open ended, i.e., its awards in cases of personal injury, libel and slander, and contract claims are unlimited. The Court also tries cases involving medical malpractice, legal malpractice, property cases involving mortgage foreclosures, mechanics liens, condemnations, and appeals related to landlord-tenant disputes and appeals from the Automobile Arbitration Board. The Court has exclusive jurisdiction over felonies and drug offenses (except most felonies and drug offenses involving minors and except possession of marijuana cases).

Superior Court has jurisdiction over involuntary commitments of the mentally ill to the Delaware State Hospital. The Court serves as an intermediate appellate court, hearing appeals on the record from the Court of Common Pleas, Family Court, administrative agencies such as the Industrial Accident Board, Unemployment Insurance Appeal Board, Alcohol Beverage Control Commission, Tax Appeal Board, Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Alderman's Courts, Justice of the Peace Courts, and Municipal Court are heard on trials de novo (second trials) in Superior Court. Appeals from Superior Court are argued on the record before the Supreme Court.

Judges

Number: There are eleven judges appointed to the Superior Court bench; one is appointed President Judge with administrative responsibility for the Court, and three are appointed as Resident Judges and must reside in the county in which they are appointed. No more than a bare majority of the judges may be of one political party; the rest must be of the other major political party.

Appointment: The Governor appoints Superior Court Judges with the consent of the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: The judges must be learned in the law.

Support Personnel

Superior Court may appoint court reporters, law clerks, bailiffs, presentence officers, a secretary for each judge, and other personnel.

An elected Prothonotary for each county serves as Clerk of the Superior Court for that county. The Prothonotary is the record keeper for the Superior Court and is directly involved with the daily operations of the Court. The office handles the jury list, property liens, registration of law students and attorneys, and is the custodian of costs and fees for the courts and for the Attorney General. It issues permits to carry deadly weapons, receives bail, deals with the release of incarcerated prisoners, issues certificates of notary public where applicable, issues certificates of election to elected officials, issues commitments to the State Hospital and collects and distributes restitution monies as ordered by the counties in addition to numerous other duties. It is also charged with the security, care and custody of Courts' exhibits.

Elected sheriffs, one per county, also serve Superior Court.

Caseload Trend

The number of criminal cases filed in Superior Court rose slightly from 3,661 in FY 1983 to 3,679 in FY 1984. The number of criminal dispositions dropped in all counties with a statewide drop of 213 from 3,884 in FY 1983 to 3,671 in FY 1984 which was a 5.5% decrease. The criminal pending dropped by 13.9% in FY 1983 but the drop in dispositions in FY 1984 led to a slight increase to 1,481 pending at the end of FY 1984 from a revised pending of 1,473 at the end of FY 1983. The compliance with the Chief Justice's Speedy Trial Directive, which sets a standard of 120 days from date of arrest to date of disposition, fell to 73.4% in FY 1984 from 74,7% in FY 1983.

The Superior Court showed decreases in both civil filings and civil dispositions in FY 1984 from the workload of FY 1983. The Superior Court had 3,825 civil filings in FY 1984, a 4.7% decrease from the 4,013 civil filings in FY 1983. Civil dispositions fell during FY 1984 to 3,486 from the 3,713 civil dispositions in FY 1983. The greater decrease in dispositions helped lead to an increase of 6.9% in civil pending from a revised total of 4,910 at the end of FY 1983 to 5,249 at the end of FY 1984.

The number of total filings in Superior Court decreased from 7,674 in FY 1983 to 7,504 in FY 1984, while total dispositions fell even more sharply from 7,597 in FY 1983 to 7,157 in FY 1984. The result of this was an increase in total pending from a revised total of 6,383 at the end of FY 1983 to 6,730 at the end of FY 1984, due in large part to the increase in civil cases pending in Superior Court. Total pending in Superior Court has gone up each year since 1976, which was the first year in which data of this sort has been available.

SUPERIOR COURT

JUDICIARY

NEW CASTLE COUNTY

President Judge
Hon. Albert J. Stiftel (D, 8/8/90)
Ann Lafferty, Secretary
(571-2355)

Resident Judge
Hon. Joshua W. Martin (R, 6/9/95)
Ann Wallace, Secretary
(571-2544)

Associate Judges
Hon. Bernard Balick (D, 9/18/85)
Ivone Marvel, Secretary
(571-2367)
Hon. Robert C. O'Hara (R, 3/23/90)
Doris Myers, Secretary
(571-2370)
Hon. Vincent A. Bifferato (D, 8/5/92)
Betty Gilson, Secretary
(571-2361)
Hon. Vincent J. Poppiti (D, 6/9/95)
Mary Jane DeMatteis, Secretary
(571-2358)
Hon. Clarence W. Taylor (R, 7/1/96)
Carol Edwards, Secretary
(571-2374)
Hon. Richard S. Gebelein (R, 9/13/96)
Patrice Wheeler, Secretary
(571-2369)

KENT COUNTY

Resident Judge
Hon. William G. Bush, III (D, 9/13/96)
Eileen Masino, Secretary
(736-5333)

Associate Judge
Hon. Henry duPont Ridgely (R, 9/13/96)
Deborah Martin, Secretary
(736-5331)

SUSSEX COUNTY

Resident Judge
Hon. Claud L. Tease (R, 10/25/86)
Mary Ellen Greenley, Secretary
(856-5256)

SUPERIOR COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Superior Court Public Building 1020 North King Street Wilmington, DE 19801	Superior Court Kent County Courthouse 38 The Green Dover, DE 19901	Superior Court Sussex County Courthouse The Circle Georgetown, DE 19947
Administrator Thomas J. Ralston S. Maureen Golden, Secretary (571-2380)		
Staff Assistant Doris E. Harris (571-2380)		
Accountant Michael E. Indellini (571-2376)		
Case Scheduling Office Phyllis Laffey, Chief (571-2414)	Joyce C. DuBour (736-5353)	Lisa D. Isaacs (856-5525)
Law Clerks Lawrence S. Drexler Anne B. Horgan Douglass L. Mowrey Alison A. Whitmer-Tumas	Lynn Wilson	Francis Gondek
Jury Commissioners John N. Russo Delores G. Tatman	Wallace F. McFaul, Jr. John R. McDonald	Ralton H. Dennis Milan F. West

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Presentence Officers		
William G. Echols, Chief Barbara P. Holloway, Assistant Chief (571-2420)	Ralph D. Knotts, Jr., Chief (736-5275)	J. Milton Messick, Chief (856-5549)
Court Reporters		
Morris D. Pearson, Chief (571-2390)	Debra S. Mitchell (736-5311)	Eileen G. Kimmel (856-5596)
Bailiffs		
Walter G. Darrell, Chief	Thomas F. Rogers, Chief	Earl E. Clark, Jr., Chief

PROTHONOTARIES

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Prothonotary Public Building 1020 North King Street Wilmington, DE 19801 (571-2396, 571-7575)	Prothonotary Kent County Courthouse 38 The Green Dover, DE 19901 (736-5328)	Prothonotary Sussex County Courthouse The Circle Georgetown, DE 19947 (856-7701, X270)
Prothonotaries Margo E. Bane	Emily G. Morris	Lawrence E. Sammons
Chief Deputies Elizabeth O. Richeson Evelyn B. Knisley	Mary Jane Cronk	Carol B. Thomas
Deputies Sharon Agnew Barbara Hrinak Wilma McDowell Raymond Wilson	Jim Parks	Myrtle E. Shockley Sarah D. Washington Myrtle Thomas

SHERIFFS

NEW CASTLE COUNTY

Sheriff
Public Building
1020 North King Street
Wilmington, DE 19801
(571-7564, 571-7565)

Sheriffs
Michael P. Walsh

Chief Deputies
Loretta Forsythe-Walsh

Chief Deputy Sheriff
Edward F. Bonk, Sr.

Deputies
Patricia C. Rappa

KENT COUNTY

Sheriff
Kent County Courthouse
38 The Green
Dover, DE 19901
(736-2000, X212)

George J. Dill

George D. Hill, Jr.
Richard G. Winchell, Jr.
Audrey Clendaniel
Charlotte Gibbons

SUSSEX COUNTY

Sheriff
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-7701, X240)

Stephen E. Rogers

Lynwood Whaley
Glen Eskridge
Sara Beth Long
Violet Pepper

SUPERIOR COURT

FISCAL YEAR 1984
CRIMINAL CASES
WORKLOAD SUMMARY

	Number of Defendants Pending 6/30/83	Filings	Dispositions	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle	1,057	2,840	2,867	1,030	- 27	- 2.6%
Kent	274	458	419	313	+ 39	+14.2%
Sussex	142*	381	385	138	- 4	- 2.8%
State	1,473*	3,679	3,671	1,481	+ 8	+ 0.5%

COMPARISON - FISCAL YEARS 1983-1984
WORKLOAD

FILINGS

	Number of Defendants 1983	1984	Change	% Change
New Castle	2,954	2,840	-114	- 3.9%
Kent	391	458	+ 67	+17.1%
Sussex	316	381	+ 65	+20.6%
State	3,661	3,679	+ 18	+ 0.5%

DISPOSITIONS

	Number Of Defendants 1983	1984	Change	% Change
New Castle	2,997	2,867	-130	- 4.3%
Kent	456	419	- 37	- 8.1%
Sussex	431	385	- 46	-10.7%
State	3,884	3,671	-213	- 5.5%

*Adjusted from 1983 Annual Report

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1984
CRIMINAL CASES
WORKLOAD
EXPLANATORY NOTES

1. The unit of count in Superior Court criminal cases is the defendant. A defendant is defined as an individual named in an indictment, so that an individual named in 3 indictments is counted as 3 defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day is counted as one defendant.

2. Informations are filed if defendants waive indictment.

3. Transfers are defendants brought before the Court of Common Pleas in New Castle County who request jury trials. Since the Court of Common Pleas in Kent and Sussex Counties itself holds jury trials, there are no transfers in either of those counties.

4. Reinstatements represent defendants who have had their cases disposed of who are brought back before Superior Court for one of the following reasons:
   -Mistrial
   -Hung Jury
   -Motion for new trial granted
   -Guilty plea withdrawn
   -Lower court appeal reinstated after being dismissed
   -Conviction overturned by Supreme Court; remanded to Superior Court for new trial

5. Severances are defendants indicted on multiple charges whose charges are severed to be tried separately.

6. Trial dispositions refer to the number of defendants whose charges were disposed of at a trial, not the number of trials per se. The date of disposition is the trial date, unless the decision is reserved, in which case it is the date when the opinion is handed down.

7. A defendant is counted as being disposed of by nolle prosequi only if all charges in an indictment or information or all charges transferred or appealed simultaneously are dropped. For example, if a defendant pleads guilty to one charge in an indictment, and other charges in the same indictment are then nol-prossed, that defendant is considered to have been disposed of by guilty plea on the date of the plea.

8. Defendants are not counted as disposed of by nol-pros if the nolle prosequi was filed to an original charge because the defendant entered a guilty plea to a New Information. Since the New Information is a further action in an existing case and is not counted as a separate filing, so also the nol-pros is not the primary disposition.

9. Only nol-prosses filed for defendants who were actually brought before Superior Court by indictment, information, appeal, transfer, reinstatement, or severance are counted in the total number of Superior Court dispositions. Nolle prosequis of unindicted defendants are listed separately because such defendants were never formally before the Superior Court.

10. Unindicted nolle prosequis are felony or drug defendants who were arrested and were bound over to Superior Court by a lower court either because probable cause was found or because the defendant waived preliminary hearing. The Attorney General then decided not to seek indictment or the grand jury ignored the indictment and a nolle prosequi was filed.

11. Remands are defendants who appealed or transferred their cases to Superior Court and had them remanded back to the lower court. ADRR's are cases in which an appeal to Superior Court has been dismissed with the record being remanded to the court from which it came. ADRR's and remands do not constitute the dispositions of all appeals that are filed; some are disposed of by trial de novo, plea, or nolle prosequi.

12. Other types of dispositions include consolidations and diversions. A consolidation represents a single individual who is indicted separately on different charges but whose charges are consolidated to be tried together. Thus an individual indicted in January and again in February, and who is counted as two filings, will receive one trial disposition and one consolidation disposition if the charges are tried together. Diversions represent those defendants who are charged with driving under the influence and are first time offenders. The defendants elect to enroll in a rehabilitation program and waive their right to a speedy trial. If the individual satisfactorily completes the program and pays all fees, the driving under the influence charge will be nolle prossed.

SUPERIOR COURT

FISCAL YEAR 1984
CRIMINAL CASES
WORKLOAD BREAKDOWNS

FILINGS

Number of Defendants Brought to Superior Court By:

	Indictment	Information	Appeal	Transfer	Reinstatement	Severance	TOTALS
New Castle	2,280 80.3%	31 1.1%	117 4.1%	369 13.0%	32 1.1%	11 0.4%	2,840 100.0%
Kent	416 90.8%	27 5.9%	13 2.8%	0 0.0%	0 0.0%	2 0.4%	458 100.0%
Sussex	245 64.3%	111 29.1%	20 5.3%	1 0.3%	4 1.1%	0 0.0%	381 100.0%
State	2,941 79.9%	169 4.6%	150 4.1%	370 10.1%	36 1.0%	13 0.4%	3,679 100.0%

DISPOSITIONS

Number of Defendants Disposed of By:

	Trial	Guilty Plea	Nolle Prosequi	Dismissal	ADRR	Remand or Transfer	Diversion	Consolidation	TOTALS
New Castle	290 10.1%	1,880 65.6%	645 22.5%	16 0.6%	19 0.7%	11 0.4%	6 0.2%	0 0.0%	2,867 100.0%
Kent	15 3.6%	340 81.2%	58 13.8%	2 0.5%	4 1.0%	0 0.0%	0 0.0%	0 0.0%	419 100.0%
Sussex	32 8.3%	258 67.0%	79 20.5%	2 0.5%	5 1.3%	8 2.1%	1 0.3%	0 0.0%	385 100.0%
State	337 9.2%	2,478 67.5%	782 21.3%	20 0.5%	28 0.8%	19 0.5%	7 0.2%	0 0.0%	3,671 100.0%

PENDING AT END OF YEAR

Number of Defendants

	Triable	Non-Triable	TOTALS
New Castle	613 59.5%	417 40.5%	1,030 100.0%
Kent	61 19.5%	252 80.5%	313 100.0%
Sussex	91 65.9%	47 34.1%	138 100.0%
State	765 51.7%	716 48.4%	1,481 100.0%

CHANGE IN PENDING

Number of Defendants

	Triable	Non-Triable	TOTALS
New Castle	+ 21	- 48	- 27
Kent	+ 30	+ 9	+ 39
Sussex	+ 45	- 49	- 4
State	+ 96	- 88	+ 8

ADRR = Appeal Dismissed, Record Remanded

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1984
CRIMINAL CASES
TYPES OF DISPOSITIONS

TRIAL DISPOSITIONS - PART ONE

	Number of Defendants Disposed of By:											
	Jury Trial		Non-Jury Trial		TOTALS		Guilty		Not Guilty*		No Final Disposition**		TOTALS	
New Castle	264	91.0%	26	9.0%	290	100.0%	200	69.0%	62	21.4%	28	9.7%	290	100.0%
Kent	15	100.0%	0	0.0%	15	100.0%	9	60.0%	3	20.0%	3	20.0%	15	100.0%
Sussex	17	53.1%	15	46.9%	32	100.0%	21	65.6%	10	31.3%	1	3.1%	32	100.0%
State	296	87.8%	41	12.2%	337	100.0%	230	68.3%	75	22.3%	32	9.5%	337	100.0%

TRIAL DISPOSITIONS - PART TWO

Number of Defendants Disposed of By:

	Jury Trial							Non-Jury Trial						
	Guilty	Guilty LIO	Not Guilty	Nolle Prosequi At Trial	Dismissed At Trial	Mistrial	Hung Jury	Guilty	Guilty LIO	Not Guilty	Nolle Prosequi At Trial	Dismissed At Trial	Mistrial	TOTALS
New Castle	149	31	46	4	6	8	20	18	2	5	1	0	0	290
Kent	5	4	3	0	0	1	2	0	0	0	0	0	0	15
Sussex	9	1	5	0	1	1	0	11	0	4	0	0	0	32
State	163	36	54	4	7	10	22	29	2	9	1	0	0	337

LIO = Lesser Included Offense
*Includes Dismissals at Trial and Nolle Prosequis at Trial
**Hung Juries and Mistrials

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1984
CRIMINAL CASES
TYPES OF DISPOSITIONS
GUILTY PLEA DISPOSITIONS

Felony

	PG-Original		PG-Lesser		PG-NI		PG-Information		TOTALS	
New Castle	591	70.1%	178	21.1%	41	4.9%	33	3.9%	843	100.0%
Kent	105	75.5%	27	19.4%	2	1.4%	5	3.6%	139	100.0%
Sussex	48	44.0%	33	30.3%	0	0.0%	28	25.7%	109	100.0%
State	744	68.2%	238	21.8%	43	3.9%	66	6.1%	1,091	100.0%

Misdemeanor

	PG-Original		PG-Lesser		PG-NI		PG-Information		TOTALS	
New Castle	215	20.7%	520	50.1%	104	10.0%	198	19.1%	1,037	100.0%
Kent	42	20.9%	121	60.2%	7	3.5%	31	15.4%	201	100.0%
Sussex	24	16.1%	95	63.8%	0	0.0%	30	20.1%	149	100.0%
State	281	20.3%	736	53.1%	111	8.0%	259	18.7%	1,387	100.0%

Guilty Plea Totals

	PG Original		PG-Lesser		PG-NI		PG-Information		TOTALS	
New Castle	806	42.9%	698	37.1%	145	7.7%	231	12.3%	1,880	100.0%
Kent	147	43.2%	148	43.5%	9	2.7%	36	10.6%	340	100.0%
Sussex	72	27.9%	128	49.6%	0	0.0%	58	22.5%	258	100.0%
State	1,025	41.4%	974	39.3%	154	6.2%	325	13.1%	2,478	100.0%

EXPLANATORY NOTES

1. Guilty plea dispositions do not include pleas made during trials. They are included in the trial disposition totals.
2. "PG-Original" includes defendants who pled guilty to all charges or to the major charge of a multi-count indictment, appeal, transfer, or reinstatement.
3. "PG-Lesser" includes defendants who pled guilty to a lesser included offense of the most serious charge, a less serious charge of a multi-count indictment or other filings, or a lesser included offense of a less serious charge of a multi-count indictment or other filing.
4. "PG-NI" indicates that a defendant pled guilty to a new information - always a less serious charge than the original one.
5. "PG-Information" denotes a defendant who waived indictment and pled guilty to an information filed by the Attorney General. This is always a reduced charge.
6. A plea of nolo contendere is considered to be the equivalent of a guilty plea; e.g., a plea of nolo contendere to a lesser included offense is counted with the PG-Lesser.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1984
CRIMINAL CASES
TYPES OF DISPOSITIONS

NOLLE PROSEQUI DISPOSITIONS - PART ONE*

	Number of Defendants With Nolle Prosequis By Special Condition	Number of Defendants With Nolle Prosequis By Merit	Total Number Defendants Disposed Of By Nolle Prosequi
New Castle	281 43.6%	364 56.4%	645 100.0%
Kent	20 34.5%	38 65.5%	58 100.0%
Sussex	36 45.6%	43 54.4%	79 100.0%
State	337 43.1%	445 56.9%	782 100.0%

NOLLE PROSEQUI DISPOSITIONS - PART TWO*

	Number of Defendants With Nolle Prosequis by Special Condition								Number of Defendants With Nolle Prosequis by Merit											
	Guilty of Other Charges, Different Indictment	Disposed of in Other Court	Reindicted	Placed on AG's Probation	Made Restitution	Placed in Custody of Other Jurisdiction	Indicted on Other Charges	Miscellaneous	Codefendant Guilty	Hung Jury/Mistrial	Defense Valid	Prosecutive Merit	Police Problems	Victim/Witness Availability/ Deceased	Victim/Witness Attitude/ Credibility	Due Process	Insufficient Evidence	Wrong Person Indicted	Miscellaneous	TOTALS
New Castle	34	29	100	62	11	6	8	31	6	2	10	111	6	34	58	8	110	4	15	645
Kent	1	3	2	11	1	0	1	1	0	1	1	8	1	2	1	1	20	2	1	58
Sussex	6	4	1	7	1	1	0	16	3	0	1	7	0	2	6	0	20	0	4	79
State	41	36	103	80	13	7	9	48	9	3	12	126	7	38	65	9	150	6	20	782

*Nolle Prosequis for indicted defendants only.
AG = Attorney General

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1984
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE
NEW CASTLE COUNTY

Offense	Trial G-NG-NFD	Number of Defendants Disposed of By: Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	Diversion	TOTALS
Crimes of Violence								
Murder 1st	4- 1- 0	9	4	0	0	0	0	18
Murder 2nd	1- 1- 0	2	1	0	0	0	0	5
Manslaughter	2- 0- 0	2	0	0	0	0	0	4
Attempted Murder 1st	1- 0- 0	13	4	0	0	0	0	18
Assault 1st	8- 2- 0	26	8	2	0	0	0	46
Assault 2nd	11- 2- 0	46	39	0	0	0	0	98
Reckless Endangering 1st/2nd	1- 1- 0	15	9	1	0	0	0	27
Rape 1st	9- 2- 1	18	3	0	0	0	0	33
Rape 2nd	2- 0- 0	13	3	0	0	0	0	18
Sodomy 1st/2nd	0- 1- 0	5	0	0	0	0	0	6
Kidnapping 1st/2nd	6- 3- 0	17	9	0	0	0	0	35
Robbery 1st	12- 3- 4	44	29	1	0	1	0	94
Robbery 2nd	2- 2- 0	33	13	0	0	0	0	50
Drug Offenses								
Delivery	13- 4- 3	132	38	0	0	0	0	190
Possession w/Intent to Deliver	17- 0- 1	103	33	0	0	0	0	154
Possession NN Schedule I	0- 0- 0	25	6	0	0	0	0	31
Other Drug Offenses	5- 3- 1	85	45	0	0	0	0	139
Other Indicted Offenses								
Burglary 1st/2nd/3rd	11- 5- 2	272	48	4	0	0	0	342
Theft/Shoplifting/RSP/Forgery	25- 8- 3	476	140	1	0	2	0	655
Weapons Offenses	10- 6- 1	189	46	0	0	0	0	252
Other Indicted Offenses	9- 5- 1	171	52	1	0	0	0	239
Appeals and Transfers								
DUI/CUI	28- 6- 8	100	4	2	10	3	6	167
Other Traffic Offenses	10- 3- 2	37	36	1	2	1	0	92
Non-Traffic Offenses	13- 4- 1	47	75	3	7	4	0	154
TOTALS	200-62-28	1,880	645	16	19	11	6	2,867

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guilty
NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty (includes Dismissals at Trial and Nolle Prosequis at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1984
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

KENT COUNTY

Offense	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/Transfer	TOTALS
Crimes of Violence							
Murder 1st	1-0-1	4	0	0	0	0	6
Murder 2nd	0-0-0	0	0	0	0	0	0
Manslaughter	0-0-0	0	2	0	0	0	2
Attempted Murder 1st	1-0-0	1	1	0	0	0	3
Assault 1st	0-0-1	5	2	0	0	0	8
Assault 2nd	2-0-0	15	1	0	0	0	18
Reckless Endangering 1st/2nd	0-0-0	5	1	1	0	0	7
Rape 1st	0-0-0	7	0	0	0	0	7
Rape 2nd	0-0-0	1	0	0	0	0	1
Sodomy 1st/2nd	0-0-0	6	0	0	0	0	6
Kidnapping 1st/2nd	0-0-0	1	1	0	0	0	2
Robbery 1st	0-0-0	13	1	0	0	0	14
Robbery 2nd	1-1-0	3	0	0	0	0	5
Drug Offenses							
Delivery	1-0-0	4	2	0	0	0	7
Possession w/Intent to Deliver	0-0-0	9	3	0	0	0	12
Possession NN Schedule I	0-0-0	2	0	0	0	0	2
Other Drug Offenses	0-0-0	27	2	0	0	0	29
Other Indicted Offenses							
Burglary 1st/2nd/3rd	1-1-1	82	15	0	0	0	100
Theft/Shoplifting/RSP/Forgery	0-1-0	85	12	0	0	0	98
Weapons Offenses	0-0-0	30	8	0	0	0	38
Other Indicted Offenses	0-0-0	28	6	0	0	0	34
Appeals and Transfers							
DUI/CUI	2-0-0	6	0	1	0	0	9
Other Traffic Offenses	0-0-0	3	1	0	0	0	4
Non-Traffic Offenses	0-0-0	3	0	0	4	0	7
TOTALS	9-3-3	340	58	2	4	0	419

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guilty
NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty - (Includes Dismissals at Trial and Nolle Prosequis at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1984
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

SUSSEX COUNTY

Offense	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	Diversion	TOTALS
Crimes of Violence								
Murder 1st	2- 0-0	4	0	0	0	0	0	6
Murder 2nd	0- 0-0	0	0	0	0	0	0	0
Manslaughter	0- 0-0	0	0	0	0	0	0	0
Attempted Murder 1st	1- 0-0	4	0	0	0	0	0	5
Assault 1st	1- 1-0	3	1	0	0	0	0	6
Assault 2nd	0- 1-0	17	4	0	0	0	0	22
Reckless Endangering 1st/2nd	0- 1-0	3	2	0	0	1	0	7
Rape 1st	1- 0-1	10	1	0	0	3	0	16
Rape 2nd	0- 0-0	4	0	0	0	4	0	8
Sodomy 1st/2nd	0- 0-0	2	0	0	0	0	0	2
Kidnapping 1st/2nd	0- 1-0	0	0	0	0	0	0	1
Robbery 1st	2- 0-0	7	3	0	0	0	0	12
Robbery 2nd	1- 0-0	0	0	0	0	0	0	1
Drug Offenses								
Delivery	0- 1-0	1	1	0	0	0	0	3
Possession w/Intent to Deliver	1- 0-0	7	2	0	0	0	0	10
Possession NN Schedule I	0- 0-0	4	1	0	0	0	0	5
Other Drug Offenses	0- 0-0	3	2	0	0	0	0	5
Other Indicted Offenses								
Burglary 1st/2nd/3rd	2- 1-0	60	19	2	0	0	0	84
Theft/Shoplifting/RSP/Forgery	3- 2-0	71	24	0	0	0	0	100
Weapons Offenses	1- 0-0	7	0	0	0	0	0	8
Other Indicted Offenses	4- 2-0	40	17	0	0	0	0	63
Appeals and Transfers								
DUI/CUI	0- 0-0	4	0	0	2	0	1	7
Other Traffic Offenses	1- 0-0	5	2	0	2	0	0	10
Non-Traffic Offenses	1- 0-0	2	0	0	1	0	0	4
TOTALS	21-10-1	258	79	2	5	8	1	385

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guilty
NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty (Includes Dismissals at Trial and Nolle Prosequis at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1984
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

STATE

Offense	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	Diversion	TOTALS
	Number of Defendants Disposed of By:							
Crimes of Violence								
Murder 1st	7- 1- 1	17	4	0	0	0	0	30
Murder 2nd	1- 1- 0	2	1	0	0	0	0	5
Manslaugher	2- 0- 0	2	2	0	0	0	0	6
Attempted Murder 1st	3- 0- 0	18	5	0	0	0	0	26
Assault 1st	9- 3- 1	34	11	2	0	0	0	60
Assault 2nd	13- 3- 0	78	44	0	0	0	0	138
Reckless Endangering 1st/2nd	1- 2- 0	23	12	2	0	1	0	41
Rape 1st	10- 2- 2	35	4	0	0	3	0	56
Rape 2nd	2- 0- 0	18	3	0	0	4	0	27
Sodomy 1st/2nd	0- 1- 0	13	0	0	0	0	0	14
Kidnapping 1st/2nd	6- 4- 0	18	10	0	0	0	0	38
Robbery 1st	14- 3- 4	64	33	1	0	1	0	120
Robbery 2nd	4- 3- 0	36	13	0	0	0	0	56
Drug Offenses								
Delivery	14- 5- 3	137	41	0	0	0	0	200
Possession w/Intent to Deliver	18- 0- 1	119	38	0	0	0	0	176
Possession NN Schedule I	0- 0- 0	31	7	0	0	0	0	38
Other Drug Offenses	5- 3- 1	115	49	0	0	0	0	173
Other Indicted Offenses								
Burglary 1st/2nd/3rd	14- 7- 3	414	82	6	0	0	0	526
Theft/Shoplifting/RSP/Forgery	28-11- 3	632	176	1	0	2	0	853
Weapons Offenses	11- 6- 1	226	54	0	0	0	0	298
Other Indicted Offenses	13- 7- 1	239	75	1	0	0	0	336
Appeals and Transfers								
DUI/CUI	30- 6- 8	110	4	3	12	3	7	183
Other Traffic Offenses	11- 3- 2	45	39	1	4	1	0	106
Non-Traffic Offenses	14- 4- 1	52	75	3	12	4	0	165
TOTALS	230-75-32	2,478	782	20	28	19	7	3,671

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guity
NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty (includes Dismissals at Trial and Nolle Prosequis at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1984
CRIMINAL CASES

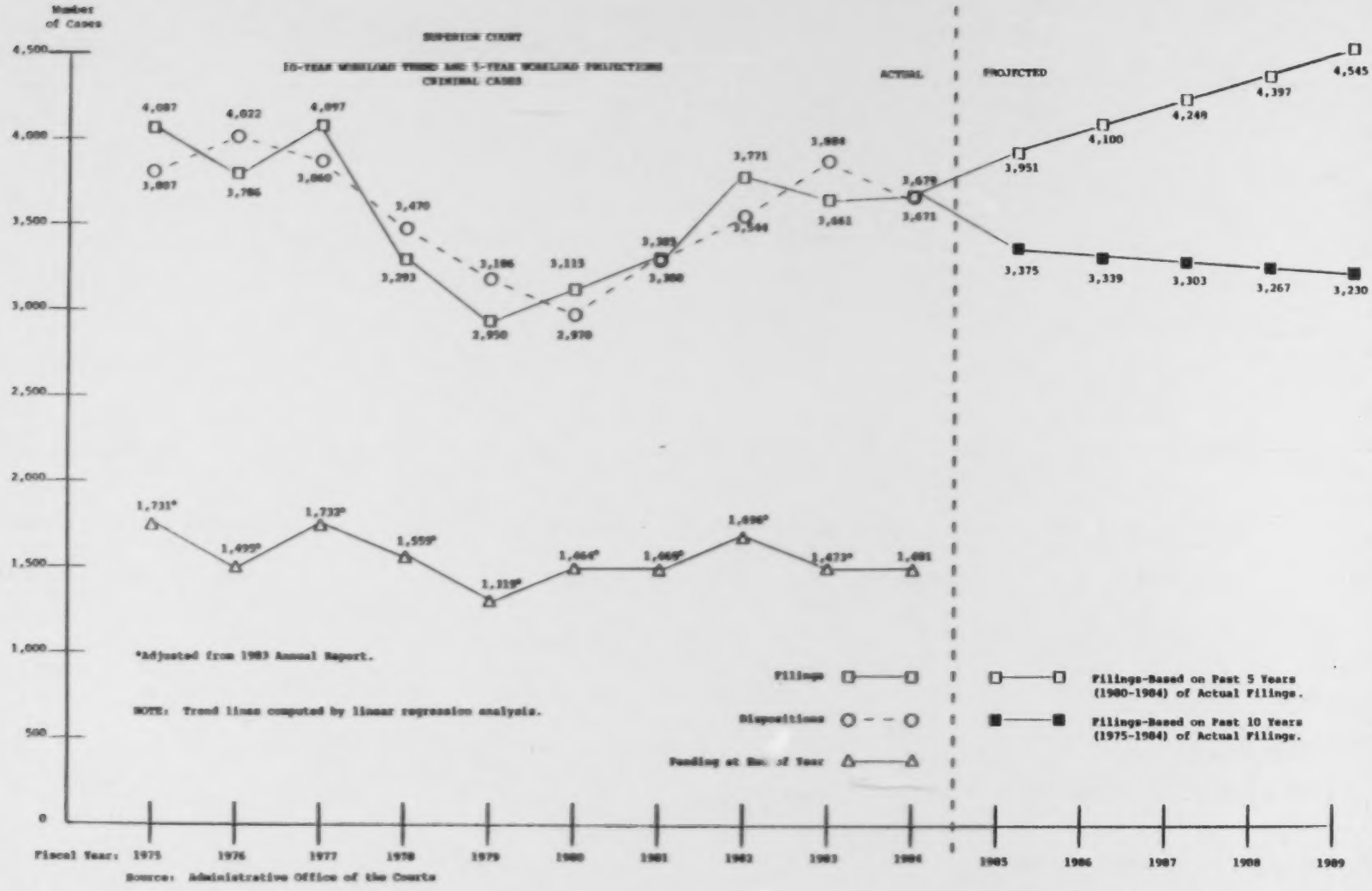
CRIMINAL TRIALS

	Number of Jury Trials	Number of Non-Jury Trials	Total Number of Trials	Days In Trial	Average Length Per Trial
New Castle	247 90.2%	27 9.9%	274 100.0%	469.9	1.72 days
Kent	17 100.0%	0 0.0%	17 100.0%	57.3	3.37
Sussex	17 53.1%	15 46.9%	32 100.0%	35.8	1.12
State	281 87.0%	42 13.0%	323 100.0%	563.0	1.74 days

CRIMINAL TRIAL CALENDAR ACTIVITY

	Total Number Of Defendants Scheduled	Number of Defendants Rescheduled	Percentage of Defendants Rescheduled	Rescheduled At Defense Request	Rescheduled At Prosecution Request	Rescheduled At Mutual Request	Rescheduled At Court Request
New Castle	3,300	1,433	43.4%	650 45.4%	493 34.4%	169 11.8%	121 8.4%
Kent	489	257	52.6%	101 39.3%	51 19.8%	89 34.6%	16 6.2%
Sussex	482	230	47.7%	100 43.5%	61 26.5%	28 12.2%	41 17.8%
State	4,271	1,920	45.0%	851 44.3%	605 31.5%	286 14.9%	178 9.3%

Source: Superior Court Case Scheduling Office



Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1984
CRIMINAL CASES
PERFORMANCE SUMMARY

	Total Number of Defendants Disposed of	Average Time from Arrest to Disposition*	Median Time from Arrest to Disposition**	Average Time from Indictment/Information to Disposition*#	Median Time from Indictment/Information to Disposition**#
New Castle	2,867	100.6 days	87.1 days	74.7 days	57.0 days
Kent	419	71.4 days	55.4 days	41.7 days	21.3 days
Sussex	385	96.0 days	80.2 days	57.4 days	37.3 days
State	3,671	96.8 days	82.6 days	69.1 days	50.8 days

COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

	Number of Defendants Disposed of Within 120 Days of Arrest		Number of Defendants Disposed of 121 Days or More After Arrest		Total Number of Defendants Disposed of	
New Castle	2,037	71.1%	830	29.0%	2,867	100.0%
Kent	367	87.6%	52	12.4%	419	100.0%
Sussex	290	75.3%	95	24.7%	385	100.0%
State	2,694	73.4%	977	26.6%	3,671	100.0%

*Calculated using grouped means method.
**Calculated using grouped medians method.
#Includes only defendants brought to Superior Court by indictment or information.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1984
CRIMINAL CASES
PERFORMANCE
EXPLANATORY NOTES

1. The Speedy Trial Directive of Chief Justice Daniel L. Herrmann states that all criminal defendants brought before Superior Court should be tried within 120 days of arrest.

2. The charts measure the average and median time intervals between arrest and disposition, and the average and median time intervals between indictment/information and disposition. Subtracting the figures for indictment/information to disposition from the figures for arrest to disposition might not determine preindictment/information time intervals accurately; however, as there may be a different number of cases being counted in the different categories (i.e. unindicted nolle prosequis).

3. In measuring the elapsed time of defendants for the purposes of computing compliance with speedy trial directives or average elapsed time, Superior Court excludes the following time intervals:

   a. For all capiases, the time between the date the capias is issued and the date the capias is executed.

   b. For all Rule 9 Summonses and Rule 9 Warrants, the time between arrest and indictment/information, if any.

   c. For all nolle prosequis, all time between the scheduled trial date and the actual filing date of the nolle prosequi.

SUPERIOR COURT

FISCAL YEAR 1984
PRESENTENCE OFFICE
WORKLOAD SUMMARY

	Pending* 6/30/83	Investigations Ordered	Investigations** Completed	Pending* 6/30/84	Change In Pending	% Change In Pending
New Castle	300	1,531	1,415	416	+116	+.38.7%
Kent	37#	294	220	111	+ 74	+200.0%
Sussex	23#	201	181	43	+ 20	+ 87.0%
State	360#	2,026	1,816	570	+210	+ 58.3%

COMPARISON - FISCAL YEARS 1983-1984
PRESENTENCE OFFICE
WORKLOAD

INVESTIGATIONS ORDERED

	1983	1984	Change	% Change
New Castle	1,399	1,531	+132	+ 9.4%
Kent	304	294	- 10	- 3.3%
Sussex	248	201	- 47	-19.0%
State	1,951	2,026	+ 75	+ 3.8%

INVESTIGATIONS COMPLETED**

	1983	1984	Change	% Change
New Castle	1,422	1,415	- 7	- 0.5%
Kent	298	220	- 78	-26.2%
Sussex	250	181	- 69	-27.6%
State	1,970	1,816	-154	- 7.8%

*A pending investigation is one which has been ordered but has not yet been written and typed.
**An investigation is completed when it has been both written and typed.
#Adjusted from 1983 Annual Report

Source: Superior Court Presentence Offices: New Castle, Kent and Sussex Counties.

SUPERIOR COURT

FISCAL YEAR 1984
PRESENTENCE OFFICE

PERFORMANCE SUMMARY

	Number of Defendants Sentenced After Presentence Investigations	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced*
New Castle	1,318	59.1 days	7.8 days	66.9 days	49.8 days	116.7 days
Kent	228	52.3	2.1	54.4	24.6	79.0
Sussex	194	47.1	6.3	53.4	42.4	95.8
State	1,740	56.8 days	6.9 days	63.7 days	45.7 days	109.4 days

COMPLIANCE WITH 30-DAY STANDARD**

	Number of Investigations Completed Within 30 Days of Verdict		Number of Investigations Completed 31 Days or More After Verdict		Total Number of Investigations Completed	
New Castle	133	9.4%	1,282	90.6%	1,415	100.0%
Kent	92	41.8%	128	58.2%	220	100.0%
Sussex	35	19.3%	146	80.7%	181	100.0%
State	260	14.3%	1,556	85.7%	1,816	100.0%

*These figures are gross elapsed time from the date the presentence investigation was ordered to the defendant's sentencing date. If all the time the sentencings were delayed due to capiases, continuances, and motions was subtracted from these figures, the net average elapsed times for presentence investigations from the date ordered to the date sentenced would be as follows:

New Castle	106.4 days
Kent	71.3 days
Sussex	Not Available
State	Not Available

**The Speedy Trial Directive of Chief Justice Daniel L. Herrmann includes a standard that the time from the Court's verdict to the completion of the presentence investigation should not exceed 30 days. A presentence investigation is considered to be completed once it has been written and typed.

Source: New Castle County, Kent County, and Sussex County Presentence Offices; Administrative Office of the Courts

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1983-1984
PRESENTENCE OFFICE
PERFORMANCE

NEW CASTLE COUNTY	1983	1984	Change	% Change
# of Defendants Sentenced After Presentence Investigations	1,414	1,318	- 96	- 6.8%
Average Time From Date Ordered to Date Written	54.7 days	59.1 days	+ 4.4 days	+ 8.0%
Average Time From Date Written to Date Typed	3.2 days	7.8 days	+ 4.6 days	+143.8%
Average Time From Date Ordered to Date Typed	57.9 days	66.9 days	+ 9.0 days	+ 15.5%
Average Time From Date Typed to Date Sentenced	42.1 days	49.8 days	+ 7.7 days	+ 18.3%
Average Time From Date Ordered to Date Sentenced	100.0 days	116.7 days	+ 16.7 days	+ 16.7%

KENT COUNTY	1983	1984	Change	% Change
# of Defendants Sentenced After Presentence Investigations	300	228	- 72	- 24.0%
Average Time From Date Ordered to Date Written	40.6 days	52.3 days	+ 11.7 days	+ 28.8%
Average Time From Date Written to Date Typed	1.6 days	2.1 days	+ 0.5 days	+ 31.3%
Average Time From Date Ordered to Date Typed	42.2 days	54.4 days	+ 12.2 days	+ 28.9%
Average Time From Date Typed to Date Sentenced	22.6 days	24.6 days	+ 2.0 days	+ 8.9%
Average Time From Date Ordered to Date Sentenced	64.8 days	79.0 days	+ 14.2 days	+ 21.9%

SUSSEX COUNTY	1983	1984	Change	% Change
# of Defendants Sentenced After Presentence Investigations	227	194	- 33	- 14.5%
Average Time From Date Ordered to Date Written	56.2 days	47.1 days	- 9.1 days	- 16.2%
Average Time From Date Written to Date Typed	5.8 days	6.3 days	+ 0.5 days	+ 8.6%
Average Time From Date Ordered to Date Typed	62.0 days	53.4 days	- 8.6 days	- 13.9%
Average Time From Date Typed to Date Sentenced	46.0 days	42.4 days	- 3.6 days	- 7.8%
Average Time From Date Ordered to Date Sentenced	108.0 days	95.8 days	- 12.2 days	- 11.3%

STATE	1983	1984	Change	% Change
# of Defendants Sentenced After Presentence Investigations	1,941	1,740	-201	- 10.4%
Average Time From Date Ordered to Date Written	52.7 days	56.8 days	+ 4.1 days	+ 7.8%
Average Time From Date Written to Date Typed	3.3 days	6.9 days	+ 3.6 days	+109.1%
Average Time From Date Ordered to Date Typed	56.0 days	63.7 days	+ 7.7 days	+ 13.8%
Average Time From Date Typed to Date Sentenced	38.2 days	45.7 days	+ 7.5 days	+ 19.6%
Average Time From Date Ordered to Date Sentenced	94.2 days	109.4 days	+ 15.2 days	+ 16.1%

Source: New Castle County, Kent County, and Sussex County Presentence Offices;
Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1984
PRESENTENCE OFFICE
PRODUCTIVITY

	INVESTIGATIONS			TYPING		
	Number of Investigations Written	Number of Investigators Available	Average Number Written Per Investigator	Number of Investigations Typed	Number of Typists Available	Average Number Typed Per Typist
New Castle	1,444	7.99	15.1/Month, 180.7/Year	1,415	2.27	52.0/Month, 623.3/Year
Kent	221	2.81	6.6/Month, 78.6/Year*	220	2.00	9.2/Month, 110.0/Year**
Sussex	158	2.67	4.9/Month, 59.2/Year#	181	1.12	13.5/Month, 161.6/Year##
State	1,823	13.47	11.3/Month, 135.3/Year	1,816	5.39	28.1/Month, 336.9/Year

*Kent County Presentence Officers write reports for both Superior Court and the Court of Common Pleas. These figures are for Superior Court only. If the 32 written for the Court of Common Pleas during FY 1984 were included, the average written per investigator would be 7.5 reports per month and 90.1 reports per year.

**These figures are for Superior Court only. If the 31 reports typed for the Court of Common Pleas were included, the typing productivity would become 10.5 reports typed per month and 125.5 reports per year.

#Sussex County Presentence Officers write reports for both Superior Court and the Court of Common Pleas. These figures are for Superior Court only. If the 27 reports written for the Court of Common Pleas during FY 1984 were included, the figures would be 5.8 reports per month and 69.3 reports per year.

##These figures are for Superior Court only. If the 30 reports typed for the Court of Common Pleas were included, the typing productivity would become 15.7 reports typed per month and 188.4 reports typed per year.

Source: Administrative Office of the Courts

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1983-1984
PRESENTENCE OFFICE
PRODUCTIVITY

NEW CASTLE COUNTY	1983	1984	Change	% Change
# of Investigations Written	1,411	1,444	+ 33	+ 2.3%
Average # Written Per Investigator Per Month	14.3	15.1	+ 0.8	+ 5.6%
Average # Written Per Investigator Per Year	171.7	180.7	+ 9.0	+ 5.2%
# of Investigations Typed	1,422	1,415	- 7	- 0.5%
Average # Typed Per Typist Per Month	50.9	52.0	+ 1.1	+ 2.2%
Average # Typed Per Typist Per Year	610.6	623.3	+ 12.7	+ 2.1%

KENT COUNTY**	1983	1984	Change	% Change
# of Investigations Written	297	221	- 76	-25.6%
Average # Written Per Investigator Per Month	8.3	6.6	- 1.7	-20.5%
Average # Written Per Investigator Per Year	99.0	78.6	- 20.4	-20.6%
# of Investigations Typed	298	220	- 78	-26.2%
Average # Typed Per Typist Per Month	12.4	9.2	- 3.2	-25.8%
Average # Typed Per Typist Per Year	149.0	110.0	- 39.0	-26.2%

SUSSEX COUNTY**	1983	1984	Change	% Change
# of Investigations Written	244	158	- 86	-35.3%
Average # Written Per Investigator Per Month	10.2	4.9	- 5.3	-52.0%
Average # Written Per Investigator Per Year	122.0	59.2	- 62.8	-51.5%
# of Investigations Typed	250	181	- 69	-27.6%
Average # Typed Per Typist Per Month	20.8	13.5	- 7.3	-35.1%
Average # Typed Per Typist Per Year	250.0	161.6	- 88.4	-35.4%

STATE**	1983	1984	Change	% Change
# of Investigations Written	1,952	1,823	-129	- 6.6%
Average # Written Per Investigator Per Month	12.3	11.3	- 1.0	- 8.1%
Average # Written Per Investigator Per Year	147.7	135.3	- 12.4	- 8.4%
# of Investigations Typed	1,970	1,816	-154	- 7.8%
Average # Typed Per Typist Per Month	30.9	28.1	- 2.8	- 9.1%
Average # Typed Per Typist Per Year	370.3	336.9	- 33.4	- 9.0%

**Figures are for Superior Court only. Court of Common Pleas presentence activity, which is also done by the Kent and Sussex Presentence Offices, is excluded.

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1984
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/83	Filings	Dispositions	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle	2,972	3,027	2,809	3,190	+218	+ 7.3%
Kent	1,372*	432	331	1,473	+101	+ 7.4%
Sussex	566	366	346	586	+ 20	+ 3.5%
State	4,910*	3,825	3,486	5,249	+339	+ 6.9%

COMPARISON - FISCAL YEARS 1983-1984
CIVIL CASES
WORKLOAD

FILINGS

	1983	1984	Change	% Change
New Castle	3,247	3,027	-220	- 6.8%
Kent	408	432	+ 24	+ 5.9%
Sussex	358	366	+ 8	+ 2.2%
State	4,013	3,825	-188	- 4.7%

DISPOSITIONS

	1983	1984	Change	% Change
New Castle	3,179	2,809	-370	-11.6%
Kent	216	331	+115	+53.2%
Sussex	318	346	+ 28	+ 8.8%
State	3,713	3,486	-227	- 6.1%

*Amended from 1983 Annual Report

Source: New Castle County, Kent County, and Sussex County Prothonotaries

SUPERIOR COURT

FISCAL YEAR 1984
CIVIL CASES
EXPLANATORY NOTES

1. Complaints are suits for damages. During FY 1984, the Complaints category included Complaints for Damages, Condemnations, Ejections, Appeals from Justice of the Peace Court, Appeals from Arbitration Panel, Declaratory Judgments, Foreign Judgments, Replevins, Foreign Attachments, Domestic Attachments, Interpleaders, Amicable Actions, Debt Actions, Transfers and Removals from the Court of Chancery, and Transfers and Removals from the Court of Common Pleas.

2. Mechanic's Liens and Mortgages are property suits.

3. Involuntary Commitments are proceedings held to determine whether individuals shall be involuntarily committed as mentally ill. Because Delaware State Hospital, the state's facility for mentally ill patients, is located in New Castle County, all Involuntary Commitment hearings are held in New Castle County.

4. Appeals are appeals on the record. This category includes Appeals from Administrative Agencies, Appeals from Family Court, Appeals from the Court of Common Pleas, and Certioraris.

5. Miscellaneous includes all other cases. During FY 1984 this category consisted of Complaints Requesting Order, Habeus Corpus, Mandamus, Writs of Prohibition, Petitions for Destruction of Indicia of Arrest, Petitions to Compel Satisfaction of Judgment, Petitions to Extend Judgment, Petitions for Bail Forfeitures, Petitions to Satisfy Mortgage, Petitions to Set Aside Mortgage, Petitions for Writ of Quo Warranto, Petitions to Quash Subpoena, Petitions for Issuance of Subpoena, Petitions for Appointment of Attorney, Out of State Depositions, Petitions to Sell Real Estate for Property Taxes, Petitions to Strike a Satisfied Mortgage, Petitions for Return of Property, Petitions to Vacate Public Road, Tax Ditches, Protective Orders, Road Resolutions, Rules to Show Cause, Motions for a Commission before I.A.B., Appeals from the Division of Motor Vehicles, Certificates of Election and Motions for Habitual Offenders. Also included in this category are Terminations and Adoptions which had been filed in Superior Court before jurisdiction for such cases had been transferred to Family Court on 9/11/80.

SUPERIOR COURT

FISCAL YEAR 1984
CIVIL CASES
WORKLOAD BREAKDOWNS

FILINGS

	Complaints	Mechanic's Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	1,513 50.0%	402 13.3%	234 7.7%	496 16.4%	382 12.6%	3,027 100.0%
Kent	257 59.5%	66 15.3%	37 8.6%	0 0.0%	72 16.7%	432 100.0%
Sussex	190 51.9%	92 25.1%	49 13.4%	0 0.0%	35 9.6%	366 100.0%
State	1,960 51.2%	560 14.6%	320 8.4%	496 13.0%	489 12.8%	3,825 100.0%

DISPOSITIONS*

	Complaints	Mechanic's Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	1,373 48.9%	432 15.4%	174 6.2%	448 16.0%	382 13.6%	2,809 100.0%
Kent	189 57.1%	80 24.2%	18 5.4%	0 0.0%	44 13.3%	331 100.0%
Sussex	187 54.1%	92 26.6%	41 11.9%	0 0.0%	26 7.5%	346 100.0%
State	1,749 50.2%	604 17.3%	233 6.7%	448 12.9%	452 13.0%	3,486 100.0%

PENDING AT END OF YEAR*

	Complaints	Mechanic's Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	2,487 78.0%	198 6.2%	225 7.1%	136 4.3%	144 4.5%	3,190 100.0%
Kent	960 65.2%	183 12.4%	131 8.9%	0 0.0%	199 13.5%	1,473 100.0%
Sussex	384 65.5%	87 14.9%	54 9.2%	0 0.0%	61 10.4%	586 100.0%
State	3,831 73.0%	468 8.9%	410 7.8%	136 2.6%	404 7.7%	5,249 100.0%

CHANGE IN PENDING*

	Complaints	Mechanic's Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	+140	-30	+60	+48	0	+218
Kent	+ 68	-14	+19	0	+28	+101
Sussex	+ 3	+ 0	+ 8	0	+ 9	+ 20
State	+211	-44	+87	+48	+37	+339

*Terminations and Adoptions which remained in Superior Court jurisdiction included with Miscellaneous. Only a single Termination filed in New Castle County remained pending at the end of FY 1984.

Source: New Castle County, Kent County, and Sussex County Prothonotaries Offices

SUPERIOR COURT

FISCAL YEAR 1984
CIVIL CASES
TYPES OF DISPOSITIONS

COMPLAINTS DISPOSITIONS

	Trial Dispositions		Non-Trial Dispositions						
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	Other	TOTALS
New Castle	54 3.9%	25 1.8%	93 6.8%	61 4.4%	18 1.3%	903 65.8%	219 16.0%	0 0.0%	1,373 100.0%
Kent	1 0.5%	4 2.1%	20 10.6%	2 1.1%	1 0.5%	135 71.4%	25 13.2%	1 0.5%	189 100.0%
Sussex	13 7.0%	5 2.7%	20 10.7%	11 5.9%	1 0.5%	84 44.9%	51 27.3%	2 1.1%	187 100.0%
State	68 3.9%	34 1.9%	133 7.6%	74 4.2%	20 1.1%	1,122 64.2%	295 16.9%	3 0.2%	1,749 100.0%

MECHANIC'S LIENS AND MORTGAGES DISPOSITIONS

	Trial Dispositions		Non-Trial Dispositions					
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	TOTALS
New Castle	3 0.7%	0 0.0%	207 47.9%	19 4.4%	0 0.0%	150 34.7%	53 12.3%	432 100.0%
Kent	0 0.0%	0 0.0%	41 51.3%	4 5.0%	0 0.0%	22 27.5%	13 16.3%	80 100.0%
Sussex	0 0.0%	0 0.0%	50 54.4%	8 8.7%	0 0.0%	28 30.4%	6 6.5%	92 100.0%
State	3 0.5%	0 0.0%	298 49.3%	31 5.1%	0 0.0%	200 33.1%	72 11.9%	604 100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1984
CIVIL CASES
TYPES OF DISPOSITIONS

INVOLUNTARY COMMITMENTS DISPOSITIONS

	Dismissed-Voluntary Commitment	Dismissed-Not Mentally Ill	Dismissed-Released By Hospital	Dismissed-Defendant Deceased	TOTAL
New Castle	349 77.9%	1 0.2%	97 21.7%	1 0.2%	448 100.0%

APPEALS DISPOSITIONS

	Affirmed	Reversed	Affirmed Part/ Reversed Part	Voluntarily Dismissed	Dismissed By Court	Remanded	TOTALS
New Castle	63 36.2%	13 7.5%	1 0.6%	35 20.1%	28 16.1%	34 19.5%	174 100.0%
Kent	2 11.1%	0 0.0%	0 0.0%	3 16.7%	13 72.2%	0 0.0%	18 100.0%
Sussex	14 34.2%	10 24.4%	0 0.0%	9 22.0%	7 17.1%	1 2.4%	41 100.0%
State	79 33.9%	23 9.9%	1 0.4%	47 20.2%	48 20.6%	35 15.0%	233 100.0%

MISCELLANEOUS DISPOSITIONS*

	Signed/Granted	Denied/Dismissed	Disposition Simultaneous With Filing	TOTALS
New Castle	206 53.9%	110 28.8%	66 17.3%	382 100.0%
Kent	28 63.6%	16 36.4%	0 0.0%	44 100.0%
Sussex	18 69.3%	8 30.8%	0 0.0%	26 100.0%
State	252 55.8%	134 29.7%	66 14.6%	452 100.0%

*Includes 9 Adoptions and 2 Terminations dismissed in Kent County and 1 Termination dismissed in New Castle County.

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1984
CIVIL CASES

CIVIL TRIALS

	No. of Jury Trials	No. of Non-Jury Trials	Total No. of Trials
New Castle	74 72.6%	28 27.5%	102 100.0%
Kent	6 85.7%	1 14.3%	7 100.0%
Sussex	8 27.6%	21 72.4%	29 100.0%
State	88 63.8%	50 36.2%	138 100.0%

CIVIL CALENDAR ACTIVITY

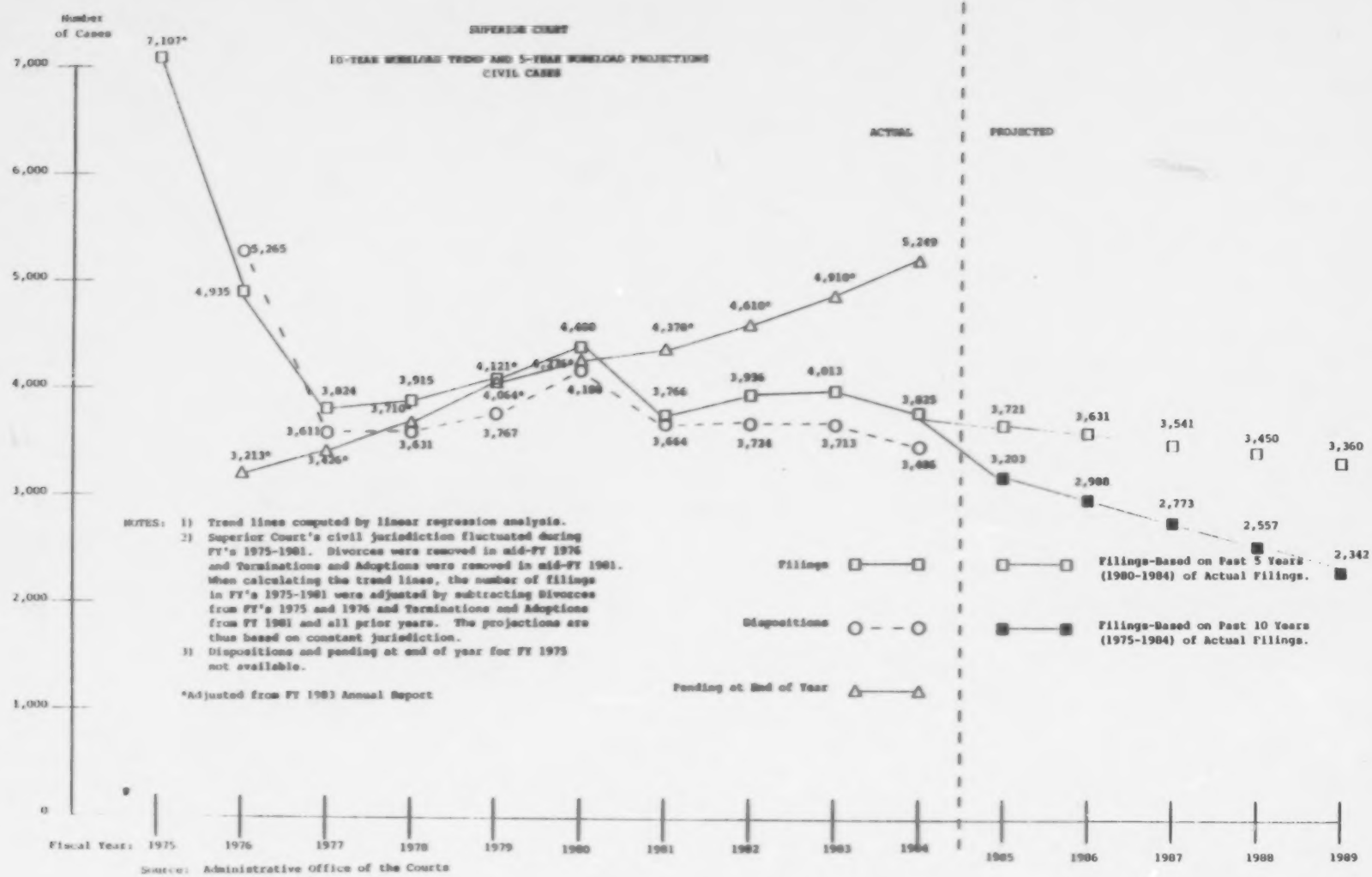
	Cases Tried	Cases Settled or Dismissed	Cases Continued for Settlement	Cases Continued Due to Lack of Judge	Cases Continued at Request of Attorney	Total Cases Scheduled
New Castle	102 18.4%	209 37.6%	3 0.5%	23 4.1%	219 39.4%	556 100.0%
Kent	7 9.6%	30 41.1%	4 5.5%	0 0.0%	32 43.8%	73 100.0%
Sussex	29 36.3%	18 22.5%	2 2.5%	2 2.5%	29 36.3%	80 100.0%
State	138 19.5%	257 36.3%	9 1.3%	25 3.5%	280 39.5%	709 100.0%

No. = Number

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CIVIL CASES



NOTES: 1) Trend lines computed by linear regression analysis.
2) Superior Court's civil jurisdiction fluctuated during FY's 1975-1981. Divorces were removed in mid-FY 1976 and Terminations and Adoptions were removed in mid-FY 1981. When calculating the trend lines, the number of filings in FY's 1975-1981 were adjusted by subtracting Divorces from FY's 1975 and 1976 and Terminations and Adoptions from FY 1981 and all prior years. The projections are thus based on constant jurisdiction.
3) Dispositions and pending at end of year for FY 1975 not available.

*Adjusted from FY 1983 Annual Report

Filings
Dispositions
Pending at End of Year
Filings-Based on Past 5 Years (1980-1984) of Actual Filings.
Filings-Based on Past 10 Years (1975-1984) of Actual Filings.

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1984
CIVIL CASES
PERFORMANCE SUMMARY

	Complaints		Mechanic's Liens and Mortgages	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	1,373	665.5 days	432	307.6 days
Kent	189	762.8 days	80	345.7 days
Sussex	187	541.7 days	92	174.5 days
State	1,749	662.8 days	604	292.3 days

	Appeals		Involuntary Commitments		Miscellaneous*	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	174	304.9 days	448	44.7 days	382	175.6 days
Kent	18	717.0 days	0	-	44	852.9 days
Sussex	41	292.2 days	0	-	26	186.9 days
State	233	334.5 days	448	44.7 days	452	242.2 days

*Includes 1 termination of parental rights in New Castle County of 2,239 days and 11 adoptions and terminations in Kent County averaging 3,319 days each. If these dispositions were not included, New Castle County would have 381 dispositions averaging 170.2 days while Kent County would have 33 dispositions averaging 30.8 days. The statewide totals would be 440 dispositions with an average elapsed time of 160.7 days.

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices;
Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1984
CIVIL CASES
PERFORMANCE BREAKDOWNS

COMPLAINTS - ELAPSED TIME - PART ONE

	Cases Placed for Trial		Cases Not Placed for Trial		TOTALS	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	365 26.6%	932.2 days	1,008 73.4%	569.0 days	1,373 100.0%	665.5 days
Kent	Not Available		Not Available		189 100.0%	762.8 days
Sussex	Not Available		Not Available		187 100.0%	541.7 days
State	Not Available		Not Available		1,749 100.0%	662.8 days

COMPLAINTS - ELAPSED TIME - PART TWO

	Cases Disposed of By: Trial		Default Judgment		Voluntary Dismissal		Other		TOTALS	
	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition
New Castle	79 5.8%	953.3 days	93 6.8%	200.0 days	903 65.8%	591.3 days	298 21.7%	959.4 days	1,373 100.0%	665.5 days
Kent	5 2.7%	1238.2 days	20 10.6%	108.1 days	135 71.4%	792.5 days	29 15.3%	994.3 days	189 100.0%	762.8 days
Sussex	18 9.6%	685.8 days	20 10.7%	130.2 days	84 44.9%	491.5 days	65 34.8%	691.7 days	187 100.0%	541.7 days
State	102 5.8%	920.1 days	133 7.6%	175.7 days	1,122 64.2%	608.0 days	392 22.4%	917.6 days	1,749 100.0%	662.8 days

Disps. = Dispositions
No. = Number

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices;
Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1984
CIVIL CASES
PERFORMANCE BREAKDOWNS

MECHANIC'S LIENS AND MORTGAGES - ELAPSED TIME - PART ONE

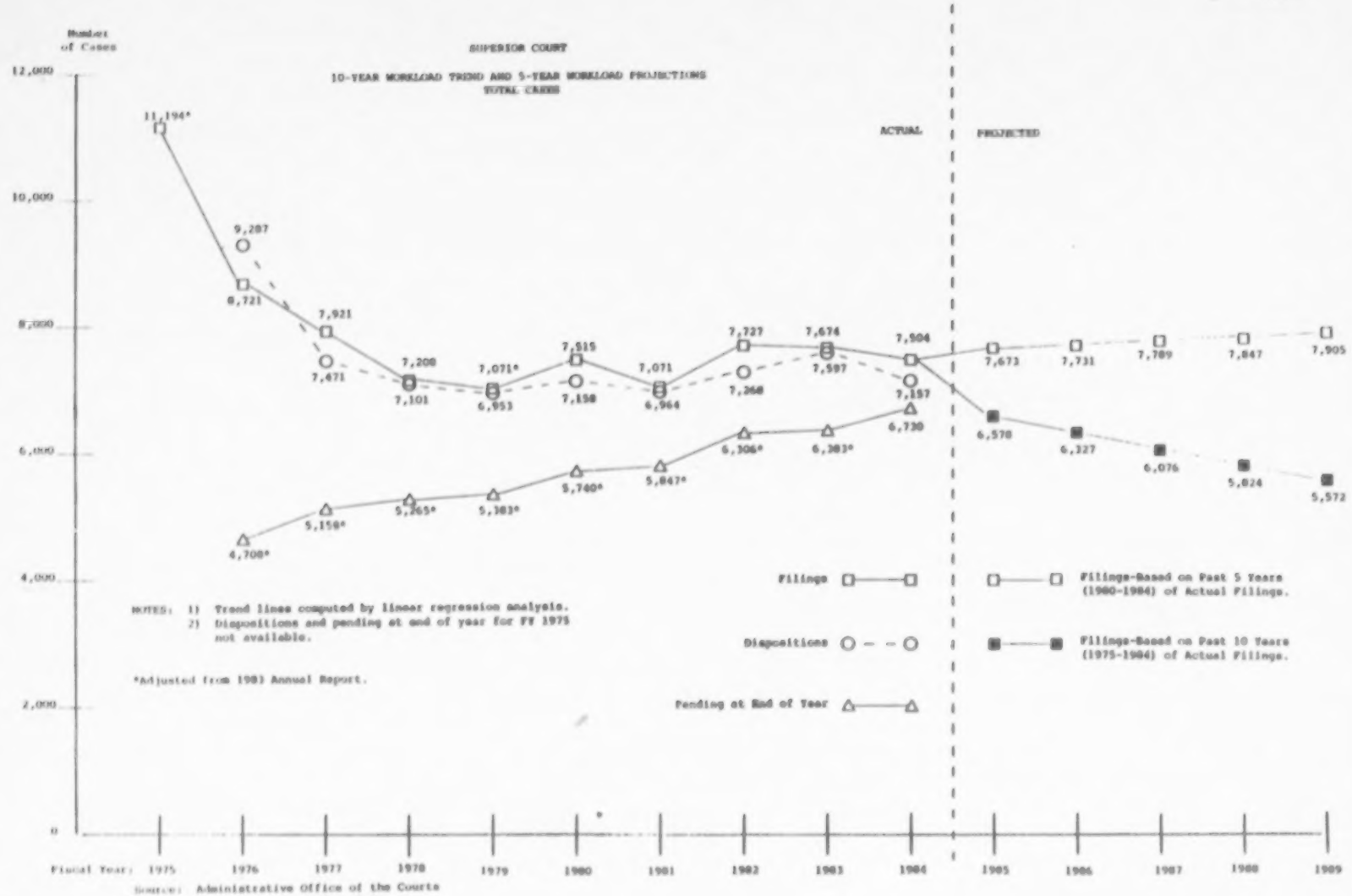
	Cases Placed for Trial		Cases Not Placed for Trial		TOTALS	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	4 0.9%	1,045.5 days	428 99.1%	300.7 days	432 100.0%	307.6 days
Kent	Not Available		Not Available		80 100.0%	345.7 days
Sussex	Not Available		Not Available		92 100.0%	174.5 days
State	Not Available		Not Available		604 100.0%	292.3 days

MECHANIC'S LIENS AND MORTGAGES - ELAPSED TIME - PART TWO

	Cases Disposed of By: Trial		Default Judgment		Voluntary Dismissal		Other		TOTALS	
	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition
New Castle	3 0.7%	906.0 days	207 47.9%	92.4 days	150 34.7%	287.1 days	72 16.7%	943.9 days	432 100.0%	307.6 days
Kent	0 0.0%	- days	41 51.3%	76.9 days	22 27.5%	484.5 days	17 21.3%	814.2 days	80 100.0%	345.7 days
Sussex	0 0.0%	- days	50 54.4%	86.6 days	28 30.4%	218.3 days	14 15.2%	400.9 days	92 100.0%	174.5 days
State	3 0.5%	906.0 days	298 49.3%	89.3 days	200 33.1%	299.2 days	103 17.1%	848.7 days	604 100.0%	292.3 days

Disps. = Dispositions
No. = Number

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices;
Administrative Office of the Courts



Source: Administrative Office of the Courts

Law Libraries

LAW LIBRARIES

The standards for the control and supervision of the three Law Libraries are set in 10 Del. Code §1941.

There are three Law Libraries located in the State of Delaware, staffed and maintained by state funds and each presided over by a Law Librarian. The libraries are named after the counties in which they are situated.

The primary function of the Law Libraries is to provide a legal information center for the Judiciary, Public Defender's Office, legal representatives of counties and municipalities, city solicitors, and members of the Delaware Bar. They are also the official depositories for state laws, administrative regulations, and court rules. The libraries are made available to registered law students to assist them in preparation for state bar examinations and in their legal education. All three libraries are designated as official depository libraries by the U.S. Government Printing Office. As state-supported agencies, the libraries are available to the general public during normal working hours. Aid and assistance is rendered to persons wishing to make use of the facilities.

The New Castle County Law Library, located in the Public Building, Wilmington, Delaware, is the busiest of the three libraries. It houses almost 30,000 books and there is presently seated working space for about 32 persons at one time. The facility is maintained and administered by a Law Librarian and a Library Assistant. The Kent County Law Library, due to its location, is designated as the State Library. It houses the largest legal library maintained by the state with about 35,000 volumes and is staffed by one Law Librarian and one Library Assistant. The Sussex County Law Library is staffed by one Law Librarian and houses about 14,000 volumes.

The Law Libraries are responsible for administrative library work as well as maintaining the bookkeeping records required by the State. These duties and responsibilities include but are not limited to the following: insertion of pocket parts, maintenance of loose leaf service bookkeeping for the agency's accounts, preparing invoices for library expenditures, filing and indexing reported and unreported opinions from the several courts, obtaining and filing copies of rules and regulations promulgated by the governmental agencies, maintaining of books and their monetary values, obtaining and filing statutes from the Legislative Council and other states, handling requests from various persons for information contained in the library, handling special request for research work from the judges, planning and recommending development and improvement of services, writing reports, and performing other duties associated with library work.

LAW LIBRARIES

PERSONNEL

NEW CASTLE COUNTY

New Castle County Law Library
Public Building
1020 North King Street
Wilmington, DE 19801
(571-2437; 571-2438)

Law Librarian
Rene Yucht

Library Assistant
Alda Monsen

KENT COUNTY

Kent County Law Library
Kent County Courthouse
38 The Green
Dover, DE 19901
(736-5467)

Law Librarian
Carol N. Russell

Library Assistant
Judy A. Skadsburg

SUSSEX COUNTY

Sussex County Law Library
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-5483, 856-5235)

Law Librarian
Mary F. Tylecki

Family Court

FAMILY COURT

Legal Authorization

The Family Court Act, Title 10, Chapter 9, Delaware Code, authorizes the Family Court.

Geographic Organization

The Family Court is a unified statewide Court with branches in New Castle County at Wilmington, Kent County at Dover, and Sussex County at Georgetown.

Legal Jurisdiction

The Family Court has had conferred upon it by the General Assembly jurisdiction over juvenile delinquency, child neglect, dependency, and abuse, adult misdemeanor crimes against juveniles, child and spouse support, paternity of children, custody and visitation of children, divorces and annulments, terminations of parental rights and adoptions, property divisions, specific enforcement of separation agreements, guardianship over minors, imperiling the family relationship, and intra-family misdemeanor crimes.

The Family Court does not have jurisdiction over adults charged with felonies or juveniles charged with first degree murder, rape, or kidnapping.

Appeals are made to either Superior Court or the Supreme Court, depending on the type of case.

Judges

Number: The Court is allowed 13 judges of equal judicial authority, one of whom is Chief Judge, who is the chief administrative and executive officer for the Court. The most newly created position, which is to be filled in Sussex County, is currently vacant. A bare majority of the judges must be of one major political party with the remainder of the other major political party.

Appointment: The Governor appoints the judges, subject to confirmation by the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least 5 years prior to appointment and must have a knowledge of the law and interest in and understanding of family and child problems. They shall not practice law during their tenure and may be reappointed.

Other Judicial Personnel

The Chief Judge appoints and commissions masters for the Court who shall hold office at his pleasure and must have resided in the State for at least 5 years prior to their appointment. Masters may hear any matters properly before them, and their decisions become judgments of the Court unless disapproved by a judge. Parties may request a review de novo by a judge, by petitioning in writing within 15 days of the master's decision.

Support Personnel

The 3 major administrative divisions of the Court are: Court Operations, Fiscal Services, and Personnel Services. Fiscal Services and Personnel Services perform staff functions, whereas Court Operations is responsible for the delivery of services to the public.

The Family Court has a staff of more than 220 persons in addition to the judiciary. The staff includes clerks of court, judicial secretaries, counselors, accounting personnel, clerks, clerk-typists, bailiffs, process servers, and hearing officers in mediation and arbitration cases, as well as volunteers working in all areas of the Court.

Caseload Trend

Total filings in Family Court decreased by 2.8% from an amended statewide total of 31,147 in FY 1983 to 30,273 in FY 1984. Total dispositions fell by 7.8% from an amended total of 31,420 in FY 1983 to 28,972 in FY 1984.

The large decrease in dispositions during FY 1984 led to an increase from an amended pending total of 6,241 at the end of FY 1983 to a total pending of 7,542 at the end of FY 1984.

FAMILY COURT

JUDICIARY

Chief Judge
Hon. Robert D. Thompson (D, 10/25/86)
Polly Bowen, Secretary
(571-2205)
Grace Davis, Secretary
(856-5301)

NEW CASTLE COUNTY

Associate Judges
Hon. Robert W. Wakefield (R, 3/16/84)
Janis Bobber, Secretary
(571-2254)
Hon. James J. Morgan (D, 9/29/88)
Kathy Mort, Secretary
(571-2229)
Hon. Jay Paul James (R, 7/31/90)
Bernadette Ennis, Secretary
(571-2226)
Hon. Karl J. Parrish (D, 10/30/90)
Carol Walton, Secretary
(571-2232)
Hon. John T. Gallagher (D, 11/6/91)
Lynn Booth, Secretary
(571-3923)
Hon. Jay H. Conner (R, 12/17/93)
Dolores A. Howard, Secretary
(571-6286)
Hon. Charles K. Keil (D, 9/28/95)
Marianne H. O'Donnell, Secretary
(571-2432)
Hon. Peggy L. Ableman (D, 9/28/95)
Barbara Hedgepath, Secretary
(571-2257)

KENT COUNTY

Associate Judges
Hon. David P. Buckson (R, 4/24/87)
Ruth Potter, Secretary
(736-4565)
Hon. Roger D. Kelsey (R, 7/28/87)
Karen Price, Secretary
(736-4513)

SUSSEX COUNTY

Associate Judges
Hon. William Swain Lee (R, 7/1/89)
Mary Lu McCabe, Secretary
(856-5417)

Vacant

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Family Court
Family Court Building
900 King Street
P.O. Box 2359
Wilmington, DE 19899
(571-2200)

Chief Master
Dennis T. Reardon
Pat Kane, Secretary
(571-2315)

Masters
William H. McDonough
Ellen McGaughan, Secretary
(571-2417)
Frederic H. Kenney
Evelyn Barkovic, Secretary
(571-2593)
Mary Ann Herlihy
Grace Turner, Secretary
(571-2212)
David J. Haley
Joan Prettyman, Secretary
(571-2303)

KENT COUNTY

Family Court
Arden Building
11 North Street
P.O. Box 310
Dover, DE 19901
(736-4501)

Gary E. Grubb
Janice Carroll, Secretary
(736-5031)

SUSSEX COUNTY

Family Court
Family Court Building
Race and East Pine Streets
P.O. Box 609
Georgetown, DE 19947
(856-7702)

Pamela Deeds Holloway
Shirley Downs, Secretary
(856-5638)

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

FOR THE STATEWIDE COURT

Director of Court Operations
James T. Glessner
(571-2216)

Director for Fiscal Services
William B. Breighner
(571-2222)

Director for Information Systems
Randall E. Williams
(571-2241)

Director for Personnel Services
Hope M. Murray
(571-2296)

Director for Research & Planning
Emmett M. Partin
(571-2215)

Director for Treatment Services
Timothy J. Brandau
(571-2219)

Director of Support
Susan F. Paikin
(571-3867)

NEW CASTLE COUNTY

Director
James T. Glessner
(571-2216)

KENT COUNTY

Director
James F. Truitt
(736-4297)

SUSSEX COUNTY

Director
Robert F. Stuart
(856-5515)

FAMILY COURT

FISCAL YEAR 1984
WORKLOAD SUMMARY

	Number of Filings Pending 6/30/83	Filed	Disposed	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle	3,791#	17,936	16,565	5,162	+1,371	+36.2%
Kent	1,245	5,985	6,055	1,175	- 70	- 5.6%
Sussex	1,205	6,352	6,352	1,205	0	0.0%
State	6,241#	30,273	28,972	7,542	+1,301	+20.9%

COMPARISON - FISCAL YEARS 1983-1984

FILED

	Number of Filings 1983	1984	Change	% Change
New Castle	19,034#	17,936	-1,098	- 5.8%
Kent	5,827#	5,985	+ 158	+ 2.7%
Sussex	6,286#	6,352	+ 66	+ 1.1%
State	31,147#	30,273	- 874	- 2.8%

DISPOSED

	Number of Filings 1983	1984	Change	% Change
New Castle	19,340#	16,565	-2,775	-14.4%
Kent	5,940#	6,055	+ 115	+ 1.9%
Sussex	6,140#	6,352	+ 212	+ 3.5%
State	31,420#	28,972	-2,448	- 7.8%

#Adjusted from 1983 Annual Report.

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1984
TOTAL CASES
WORKLOAD
EXPLANATORY NOTES

1. The unit of count in Family Court adult criminal, juvenile delinquency, and civil cases is the filing.

2. A criminal or delinquency filing is defined as one incident filed against one individual. Each incident is counted separately, so that three incidents brought before the Court on a single individual are counted as three criminal or delinquency filings.

   a. A single criminal or delinquency filing may be comprised of single or multiple charges relating to a single incident.

   b. A criminal filing is received by the Court in the form of an information or a complaint, and a delinquency filing is received by the Court in the form of a petition or a complaint.

3. A civil filing is defined as a single civil incident filed with Family Court. A civil incident is initiated by a petition. In the instance of a divorce, although the petition may contain multiple matters ancillary to the divorce, each petition is counted as one filing.

FAMILY COURT

FISCAL YEAR 1984
ADULT CRIMINAL CASES
WORKLOAD SUMMARY

	Number of Filings					
	Pending 6/30/83	Filed	Disposed	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle	148	1,808	1,741	215	+ 67	+ 45.3%
Kent	59	377	338	98	+ 39	+ 66.1%
Sussex	53	596	564	85	+ 32	+ 60.4%
State	260	2,781	2,643	398	+138	+ 53.1%

COMPARISON - FISCAL YEARS 1983-1984
ADULT CRIMINAL CASES
WORKLOAD

FILED

	Number of Filings			
	1983	1984	Change	% Change
New Castle	1,747	1,808	+ 61	+ 3.5%
Kent	418	377	- 41	- 9.8%
Sussex	439	596	+157	+35.8%
State	2,604	2,781	+177	+ 6.8%

DISPOSED

	Number of Filings			
	1983	1984	Change	% Change
New Castle	1,663	1,741	+ 78	+ 4.7%
Kent	452	338	-114	-25.2%
Sussex	427	564	+137	+32.1%
State	2,542	2,643	+101	+ 4.0%

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1984
JUVENILE DELINQUENCY CASES
WORKLOAD SUMMARY

	Number of Filings					
	Pending 6/30/83	Filed	Disposed	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle	908	4,171	3,698	1,381	+473	+52.1%
Kent	154	911	909	156	+ 2	+ 1.3%
Sussex	177	1,481	1,402	256	+ 79	+44.6%
State	1,239	6,563	6,009	1,793	+554	+44.7%

COMPARISON - FISCAL YEARS 1983-1984
JUVENILE DELINQUENCY CASES
WORKLOAD

FILED

	Number of Filings 1983	1984	Change	% Change
New Castle	5,120	4,171	- 949	-18.5%
Kent	1,023	911	- 112	-11.0%
Sussex	1,388	1,481	+ 93	+ 6.7%
State	7,531	6,563	- 968	-12.9%

DISPOSED

	Number of Filings 1983	1984	Change	% Change
New Castle	5,483	3,698	-1,785	-32.6%
Kent	1,057	909	- 148	-14.0%
Sussex	1,504	1,402	- 102	- 6.8%
State	8,044	6,009	-2,035	-25.3%

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1984
JUVENILE DELINQUENCY CASES
WORKLOAD BREAKDOWNS

FILED

	Number of Filings			
	Felony	Misdemeanor	Traffic	TOTALS
New Castle	874 21.0%	3,004 72.0%	293 7.0%	4,171 100.0%
Kent	174 19.1%	659 72.3%	78 8.6%	911 100.0%
Sussex	376 25.4%	983 66.4%	122 8.2%	1,481 100.0%
State	1,424 21.7%	4,646 70.8%	493 7.5%	6,563 100.0%

DISPOSED

	Number of Filings			
	Felony	Misdemeanor	Traffic	TOTALS
New Castle	868 23.5%	2,531 68.4%	299 8.1%	3,698 100.0%
Kent	161 17.7%	659 72.5%	89 9.8%	909 100.0%
Sussex	332 23.7%	950 67.8%	120 8.6%	1,402 100.0%
State	1,361 22.7%	4,140 68.9%	508 8.4%	6,009 100.0%

PENDING AT END OF YEAR

	Number of Filings			
	Felony	Misdemeanor	Traffic	TOTALS
New Castle	257 18.6%	1,056 76.5%	68 4.9%	1,381 100.0%
Kent	32 20.5%	110 70.5%	14 9.0%	156 100.0%
Sussex	98 38.3%	141 55.1%	17 6.6%	256 100.0%
State	387 21.6%	1,307 72.9%	99 5.5%	1,793 100.0%

CHANGE IN PENDING

	Number of Filings			
	Felony	Misdemeanor	Traffic	TOTALS
New Castle	+ 6	+473	- 6	+473
Kent	+ 13	0	- 11	+ 2
Sussex	+ 44	+ 33	+ 2	+ 79
State	+ 63	+506	- 15	+554

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1984
CIVIL CASES
WORKLOAD SUMMARY

	Civil Filings Pending 6/30/83	New Filings	Dispositions	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle	2,735*	11,957	11,126	3,566	+831	+30.4%
Kent	1,032	4,697	4,808	921	-111	-10.8%
Sussex	975	4,275	4,386	864	-111	-11.4%
State	4,742*	20,929	20,320	5,351	+609	+12.8%

COMPARISON - FISCAL YEARS 1983-1984

FILED

	1983	1984	Change	% Change
New Castle	12,167*	11,957	- 210	- 1.7%
Kent	4,386*	4,697	+ 311	+ 7.1%
Sussex	4,459*	4,275	- 184	- 4.1%
State	21,012*	20,929	- 83	- 0.4%

DISPOSED

	1983	1984	Change	% Change
New Castle	12,194*	11,126	-1,068	- 8.8%
Kent	4,431*	4,808	+ 377	+ 8.5%
Sussex	4,209*	4,386	+ 177	+ 4.2%
State	20,834*	20,320	- 514	- 2.5%

*Amended from 1983 Annual Report

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1984
CIVIL CASES
WORKLOAD BREAKDOWNS

FILED

	Divorces and Annulments		Divorce Ancillary Matters		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle	2,043	17.1%	669	5.6%	2,447	20.5%	1,486	12.4%	845	7.1%	1,499	12.5%
Kent	657	14.0%	144	3.1%	1,108	23.6%	634	13.5%	366	7.8%	836	17.8%
Sussex	562	13.2%	124	2.9%	790	18.5%	575	13.5%	685	16.0%	684	16.0%
State	3,262	15.6%	937	4.5%	4,345	20.8%	2,695	12.9%	1,896	9.1%	3,019	14.4%

	Visitation		Imperiling Family Relations		Adoptions		Terminations of Parental Rights		Miscellaneous		TOTALS	
New Castle	480	4.0%	544	4.5%	128	1.1%	96	0.8%	1,720	14.4%	11,957	100.0%
Kent	204	4.3%	100	2.1%	44	0.9%	20	0.4%	584	12.4%	4,697	100.0%
Sussex	135	3.2%	99	2.3%	31	0.7%	22	0.5%	568	13.3%	4,275	100.0%
State	819	3.9%	743	3.5%	203	1.0%	138	0.7%	2,872	13.7%	20,929	100.0%

DISPOSED

	Divorces and Annulments		Divorce Ancillary Matters		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle	1,799	16.2%	526	4.7%	2,270	20.4%	1,501	13.5%	736	6.6%	1,380	12.4%
Kent	660	13.7%	151	3.1%	1,145	23.8%	677	14.1%	369	7.7%	844	17.6%
Sussex	539	12.3%	174	4.0%	822	18.7%	640	14.6%	695	15.9%	666	15.2%
State	2,998	14.8%	851	4.2%	4,237	20.9%	2,818	13.9%	1,800	8.9%	2,890	14.2%

	Visitation		Imperiling Family Relations		Adoptions		Terminations of Parental Rights		Miscellaneous		TOTALS	
New Castle	412	3.7%	486	4.4%	138	1.2%	111	1.0%	1,767	15.9%	11,126	100.0%
Kent	199	4.1%	103	2.1%	45	0.9%	26	0.5%	589	12.3%	4,808	100.0%
Sussex	142	3.2%	101	2.3%	26	0.6%	27	0.6%	554	12.6%	4,386	100.0%
State	753	3.7%	690	3.4%	209	1.0%	164	0.8%	2,910	14.3%	20,320	100.0%

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1984
CIVIL CASES
WORKLOAD BREAKDOWNS (CONTINUED)

PENDING AT END OF YEAR

	Divorces and Annulments	Divorce Ancillary Matters	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle	843 23.6%	835 23.4%	693 19.4%	238 6.7%	210 5.9%	291 8.2%
Kent	246 26.7%	69 7.5%	191 20.7%	82 8.9%	46 5.0%	139 15.1%
Sussex	206 23.8%	96 11.1%	160 18.5%	51 5.9%	73 8.4%	107 12.4%
State	1,295 24.2%	1,000 18.7%	1,044 19.5%	371 6.9%	329 6.1%	537 10.0%

	Visitation	Imperiling Family Relations	Adoptions	Terminations of Parental Rights	Miscellaneous	TOTALS
New Castle	149 4.2%	122 3.4%	42 1.2%	28 0.8%	115 3.2%	3,566 100.0%
Kent	37 4.0%	8 0.9%	19 2.1%	7 0.8%	77 8.4%	921 100.0%
Sussex	25 2.9%	7 0.8%	24 2.8%	14 1.6%	101 11.7%	864 100.0%
State	211 3.9%	137 2.6%	85 1.6%	49 0.9%	293 5.5%	5,351 100.0%

CHANGE IN PENDING

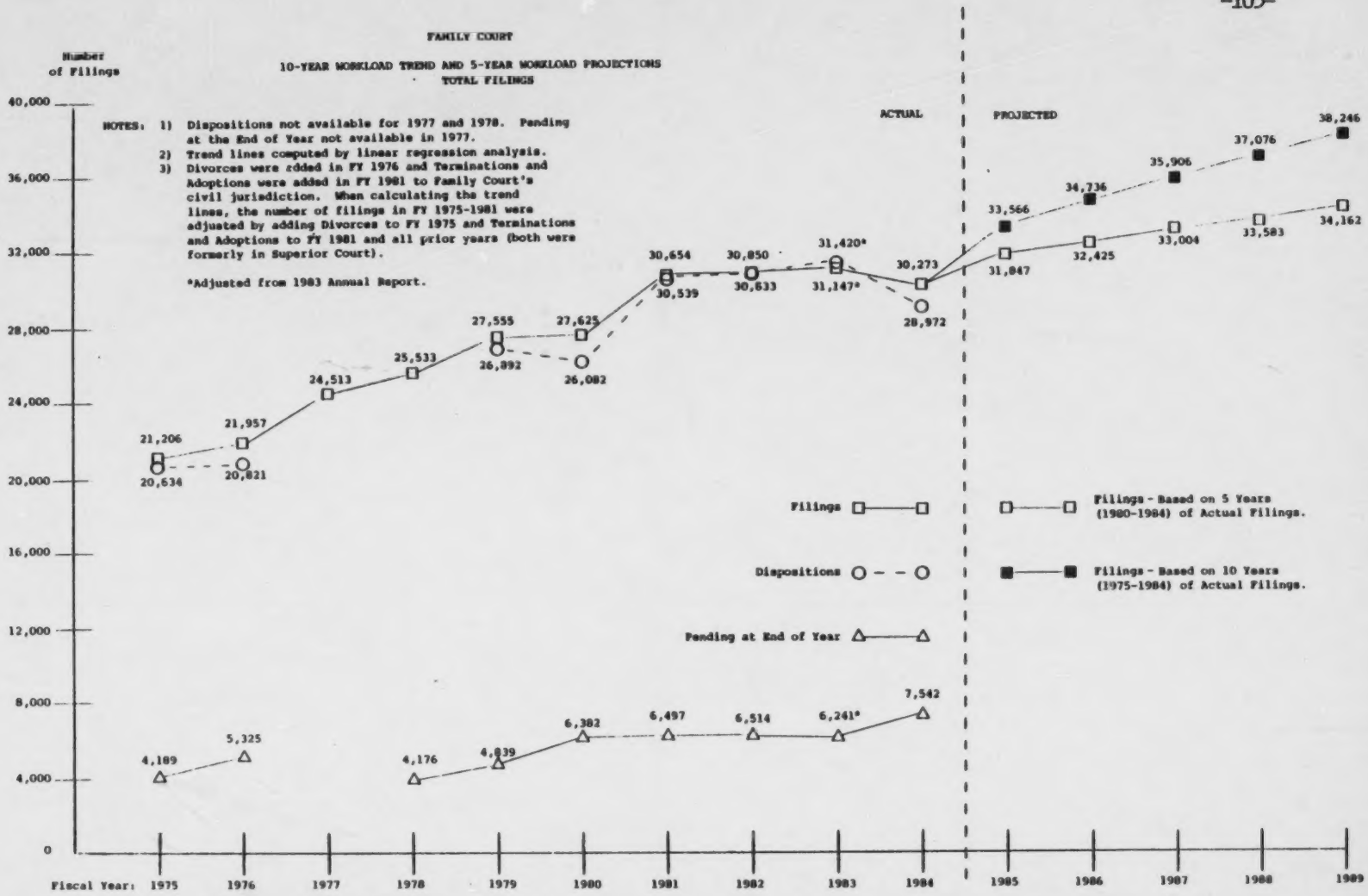
	Divorces and Annulments	Divorce Ancillary Matters	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle	+244	+143	+177	- 15	+109	+119
Kent	- 3	- 7	- 37	- 43	- 3	- 8
Sussex	+ 23	- 50	- 32	- 65	- 10	+ 18
State	+264	+ 86	+108	-123	+ 96	+129

	Visitation	Imperiling Family Relations	Adoptions	Terminations of Parental Rights	Miscellaneous	TOTALS
New Castle	+ 68	+ 58	- 10	- 15	- 47	+831
Kent	+ 5	- 3	- 1	- 6	- 5	-111
Sussex	- 7	- 2	+ 5	- 5	+ 14	-111
State	+ 66	+ 53	- 6	- 26	- 38	+609

Source: Statistician, Family Court

FAMILY COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TOTAL FILINGS



NOTES: 1) Dispositions not available for 1977 and 1978. Pending at the End of Year not available in 1977.
2) Trend lines computed by linear regression analysis.
3) Divorces were added in FY 1976 and Terminations and Adoptions were added in FY 1981 to Family Court's civil jurisdiction. When calculating the trend lines, the number of filings in FY 1975-1981 were adjusted by adding Divorces to FY 1975 and Terminations and Adoptions to FY 1981 and all prior years (both were formerly in Superior Court).

*Adjusted from 1983 Annual Report.

Source: Administrative Office of the Courts

Court of Common Pleas

COURT OF COMMON PLEAS

Legal Authorization

The statewide Court of Common Pleas was created by 10 Delaware Code, Chapters 13, 15, and 16, effective July 5, 1973.

Geographic Organization

The Court of Common Pleas sits in each of the three counties at the respective county seats.

Legal Jurisdiction

The Court of Common Pleas has statewide jurisdiction which includes concurrent jurisdiction with Superior Court in civil actions where the amount involved, exclusive of interest, does not exceed $15,000 on the complaint. There is no limitation in amount on counterclaim. All civil cases are tried without a jury.

The Court has criminal jurisdiction over all misdemeanors occurring in the State of Delaware except drug-related cases (other than possession of marijuana), and those occurring within the corporate limits of the City of Wilmington. It also is responsible for all preliminary hearings. Jury trial is available to all defendants but in New Castle County jury trials are referred to Superior Court for dispositi

Judges

There are five Judges of the Court of Common Pleas, one Chief Judge and four Resident Judges. The Judges are appointed by the governor with the consent of the Senate for 12 year terms and must have been actively engaged in the general practice of law in the State of Delaware for at least five years and must be citizens of the State. A majority of not more than one judge may be from the same political party.

Support Personnel

Personnel are appointed by the Chief Judge of the Court of Common Pleas, and consist of a Court Administrator (Chief Clerk), one Chief Deputy Clerk for each county, and such other employees as are necessary, including Bailiffs, Court Reporters, Secretaries, Clerks, Presentence Officers, etc.

Caseload Trend

The increase of 727 criminal filings from 14,704 filings in FY 1983 to 15,431 filings in FY 1984 was the smallest such increase between fiscal years since the increase of 211 filings between FY 1977 and FY 1978. This shows the substantial increases in criminal filings in recent years as seen by the fact that the number of criminal filings has more than doubled since FY 1979. Criminal dispositions rose to 15,485 in FY 1984 from 14,389 in FY 1983, which is an increase of 1,096 dispositions. The number of criminal dispositions also has more than doubled since FY 1979. The increase in dispositions in FY 1984 was greater than the increase in filings with pending dropping from 2,122 at the end of FY 1983 to 2,068 at the end of FY 1984 as a result.

Civil filings rose slightly from 4,002 during FY 1983 to 4,046 during FY 1984. Civil dispositions dropped, however, from 3,710 in FY 1983 to 3,510 in FY 1984, which led to an increase in pending from 2,815 at the end of FY 1983 to 3,351 at the end of FY 1984.

Total filings rose to 19,477 in FY 1984 from 18,706 in FY 1983 while total dispositions rose from 18,099 in FY 1983 to 18,995 in FY 1984. This led to a total pending increase from 4,937 at the end of FY 1983 to 5,419 at the end of FY 1984. During the past two fiscal years, there has been an increase in total pending of over 1,000 cases from the total pending of 4,330 at the end of FY 1982.

COURT OF COMMON PLEAS

JUDICIARY

NEW CASTLE COUNTY

Chief Judge
Hon. Robert H. Wahl (D, 9/14/96)
Beulah D. Goldsborough, Secretary
(571-2412)

Resident Judge
Hon. Arthur F. DiSabatino (R, 10/6/83)
Margaret Renai, Secretary
(571-2411)
Hon. William C. Bradley, Jr. (D, 9/29/88)
Peggy Papili, Secretary
(571-2410)

KENT COUNTY

Resident Judge
Hon. Merrill C. Trader (R, 9/14/96)
Mary Elyn Massey, Secretary
(736-4617)

SUSSEX COUNTY

Resident Judge
Hon. Paul E. Ellis (D, 4/18/85)
Katherine Truitt, Secretary
(856-5333)

Court Administrator (571-2804)
Carole B. Kirshner
Sharon Berkowitz, Secretary

NEW CASTLE COUNTY (571-2430)

Clerk's Offices
Frederick Kirch, Clerk
Angeline Pineault
Elizabeth Jonkiert
Catherine Wharton
Karen Gallagher
Cynthia Reinholz
Deborah Mowbray
Joan Chalmers
Philip Saxon, Jr.
Kathleen Murphy
Mary Lou McNulty
Lucy Giorgi
Deborah Basara
Pauline Quattro

Court Reporters (571-2863)

Carol Schatzman
Jacalyn Aff
Cheryl Simmons
C. Marie Fontello, Typist

Presentence Officers (571-3834)

John Jaremchuk, Jr., Chief
Carolyn DiMauro
Alan Haase
Stacy Person
Robert McGee, Investigator
Renee Coddington, Secretary

Bailiffs

Richard Hurst
William Arterbridge
Diane Korolog
Jason Carroa
Allan Rogers, Security Officer

KENT COUNTY (736-4618)

Ruth Biddle, Clerk
Anna Benton
Frances Bergold
Teresa Lindale
Suzanne Brode

Sheila Dougherty
Terri Chippie, Typist

David Reid
Mary McFaul

SUSSEX COUNTY (856-5333)

Doris Wilkins, Clerk
Jean Henry
Joyce Betts
Bonnie Goetz

Raymond Kenney
Vera Elliott, Typist

Alcohol Coordinating Counselor

Dallas Fleetwood

Donald Beebe
R. Burton Hicks

COURT OF COMMON PLEAS

FISCAL YEAR 1984
CRIMINAL CASES*
WORKLOAD SUMMARY

	Pending 6/30/83	Filings	Dispositions	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle	1,357	10,183	10,259	1,281	- 76	- 5.6%
Kent	210	2,412	2,303	319	+109	+51.9%
Sussex	555	2,836	2,923	468	- 87	-15.7%
State	2,122	15,431	15,485	2,068	- 54	- 2.2%

COMPARISON - FISCAL YEARS 1983-1984
CRIMINAL CASES*
WORKLOAD

FILINGS

	1983	1984	Change	% Change
New Castle	9,440	10,183	+ 743	+ 7.9%
Kent	2,009	2,412	+ 403	+20.1%
Sussex	3,255	2,836	- 419	-12.9%
State	14,704	15,431	+ 727	+ 4.9%

DISPOSITIONS

	1983	1984	Change	% Change
New Castle	9,208	10,259	+1,051	+11.4%
Kent	2,054	2,303	+ 249	+12.1%
Sussex	3,127	2,923	- 204	- 6.5%
State	14,389	15,485	+1,096	+ 7.6%

*The unit of count for criminal cases is the charge. For example, a defendant brought before the court on 3 charges would be counted as 3 cases.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1984
CRIMINAL CASES*
WORKLOAD BREAKDOWNS

Filings

	Original**	Optional Transfers#	Mandatory Transfers##	Reduced to Misdemeanor@	TOTALS	Preliminary Hearings
New Castle	384 3.8%	8,991 88.3%	482 4.7%	326 3.2%	10,183 100.0%	3,797
Kent	207 8.6%	1,928 79.9%	246 10.2%	31 1.3%	2,412 100.0%	1,222
Sussex	193 6.8%	1,910 67.4%	434 15.3%	299 10.5%	2,836 100.0%	1,895
State	784 5.1%	12,829 83.1%	1,162 7.5%	656 4.3%	15,431 100.0%	6,914

Dispositions

	Jury	Non-Jury	TOTALS
New Castle	0 0.0%	10,259 100.0%	10,259 100.0%
Kent	83 3.6%	2,220 96.4%	2,303 100.0%
Sussex	7 0.2%	2,916 99.8%	2,923 100.0%
State	90 0.6%	15,395 99.4%	15,485 100.0%

Pending At End Of Year

	Capiases	Other@@	TOTALS
New Castle	754 58.9%	527 41.1%	1,281 100.0%
Kent	47 14.7%	272 85.3%	319 100.0%
Sussex	100 21.4%	368 78.6%	468 100.0%
State	901 43.6%	1,167 56.4%	2,068 100.0%

Change In Pending

	Capiases	Other@@	TOTALS
New Castle	+229	-305	- 76
Kent	+ 13	+ 96	+109
Sussex	+ 16	-103	- 87
State	+258	-312	- 54

*The unit of count in criminal cases is the charge. For example, a defendant brought before the Court on 3 charges would be counted as 3 cases.

**Charges filed initially in the Court of Common Pleas.

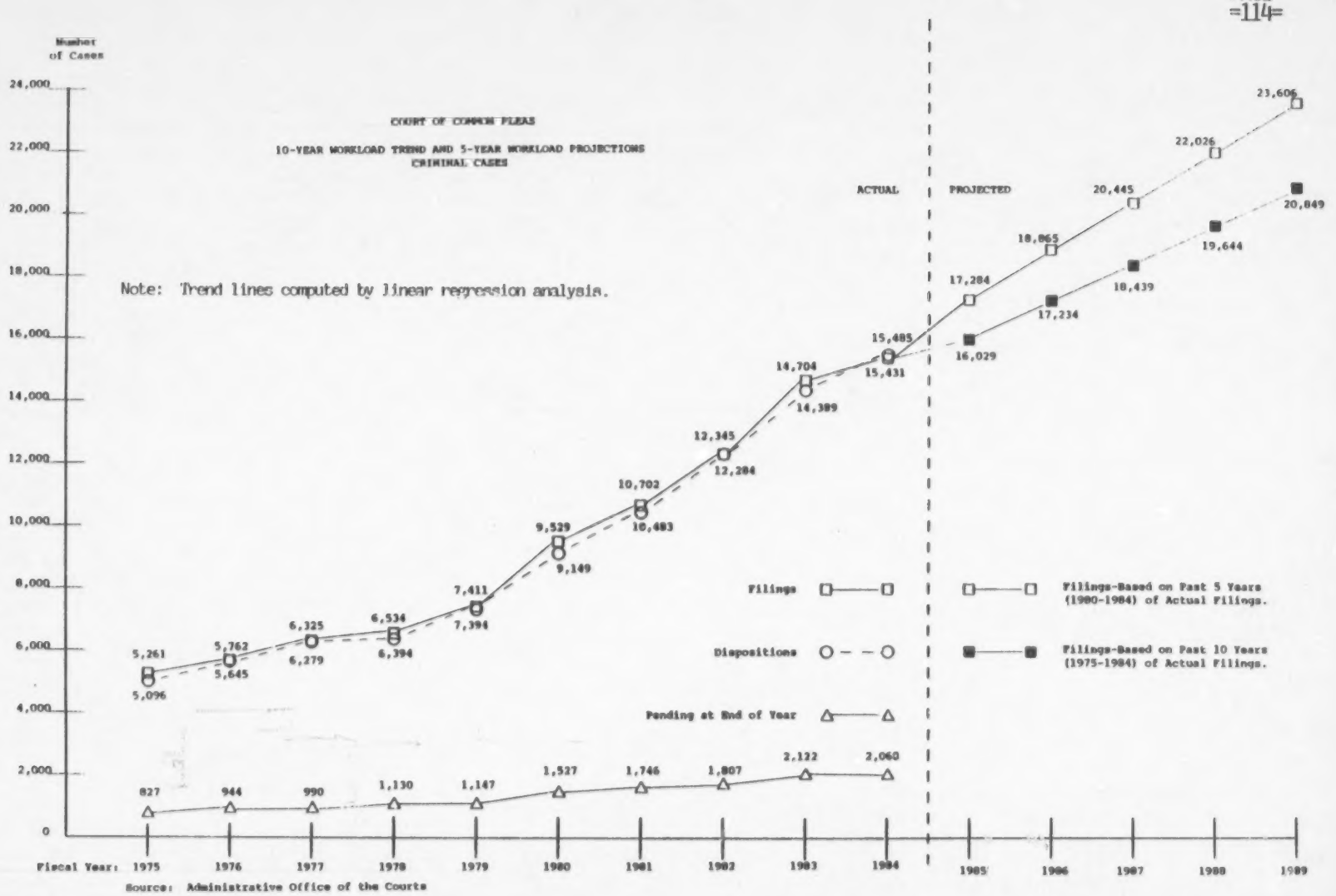
#Charges filed originally in Justice of the Peace Courts which were transferred to the Court of Common Pleas at the option of the defendant.

##Charges originally filed in Justice of the Peace Courts which by statute must be transferred to the Court of Common Pleas.

@Felony charges brought before the Court of Common Pleas for preliminary hearing which are reduced to misdemeanors and pled guilty to.

@@Includes triable cases and first offenders undergoing rehabilitation according to the Driving Under the Influence statute.

Source: Court Administrator, Court of Common Pleas


COURT OF COMMON PLEAS
10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CRIMINAL CASES
Number of Cases
ACTUAL
PROJECTED
Note: Trend lines computed by linear regression analysis.
Filings
Dispositions
Pending at End of Year
Filings-Based on Past 5 Years (1980-1984) of Actual Filings.
Filings-Based on Past 10 Years (1975-1984) of Actual Filings.
Fiscal Year: 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989
Source: Administrative Office of the Courts

COURT OF COMMON PLEAS

FISCAL YEAR 1984
PRESENTENCE OFFICE
WORKLOAD SUMMARY

	Pending 6/30/83	Investigations Ordered	Investigations Completed*	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle	79	455	429	105	+26	+ 32.9%
Kent**	5	43	31	17	+12	+240.0%
Sussex**	10#	31	30	11	+ 1	+ 10.0%
State	94#	529	490	133	+39	+ 41.5%

COMPARISON - FISCAL YEARS 1983-1984
PRESENTENCE OFFICE
WORKLOAD

Investigations Ordered

	1983	1984	Change	% Change
New Castle	418	455	+37	+ 8.9%
Kent**	46	43	- 3	- 6.5%
Sussex**	43	31	-12	- 27.9%
State	507	529	+22	+ 4.3%

Investigations Completed*

	1983	1984	Change	% Change
New Castle	436	429	- 7	- 1.6%
Kent**	44	31	-13	- 29.6%
Sussex**	44	30	-14	- 31.8%
State	524	490	-34	- 6.5%

*An investigation is considered completed when it has been written and typed.
**Presentence investigations for the Court of Common Pleas in Kent and Sussex Counties are done by the Superior Court Presentence Office.
#Adjusted from 1983 Annual Report.

Source: Court Administrator, Court of Common Pleas; Superior Court Presentence Offices, Kent and Sussex Counties

COURT OF COMMON PLEAS

FISCAL YEAR 1984
PRESENTENCE OFFICE
PERFORMANCE

	No. of Defendants Sentenced After Presentence Investigation	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced
New Castle	434	39.6 days	0.5 days	40.1 days	3.3 days	43.4 days
Kent	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Sussex	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
State	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

PRODUCTIVITY

	INVESTIGATIONS			TYPING		
	Number of Investigations Written	Number of Investigators Available	Average Number Completed Per Investigator	Number of Investigations Typed	Number of Typists Available	Average Number Typed Per Typist
New Castle	429	3.40	10.5/mo.,126.2/yr.	429	1.0	35.8/mo.,429.0/yr.
Kent	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Sussex	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
State	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

No. = Number
N.A. = Not Applicable. This is because presentence investigations for the Court of Common Pleas in Kent County and Sussex County are done by the Superior Court Presentence Office.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1984
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/83	Filings	Dispositions	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle	2,433	2,942	2,464	2,911	+478	+19.7%
Kent	171	531	493	209	+ 38	+22.2%
Sussex	211	573	553	231	+ 20	+ 9.5%
State	2,815	4,046	3,510	3,351	+536	+19.0%

COMPARISON - FISCAL YEARS 1983-1984
CIVIL CASES
WORKLOAD

FILINGS

	1983	1984	Change	% Change
New Castle	3,114	2,942	-172	- 5.5%
Kent	381	531	+150	+39.4%
Sussex	507	573	+ 66	+13.0%
State	4,002	4,046	+ 44	+ 1.1%

DISPOSITIONS

	1983	1984	Change	% Change
New Castle	2,832	2,464	-368	-13.0%
Kent	391	493	+102	+26.1%
Sussex	487	553	+ 66	+13.6%
State	3,710	3,510	-200	- 5.4%

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1984
CIVIL CASES
WORKLOAD BREAKDOWNS

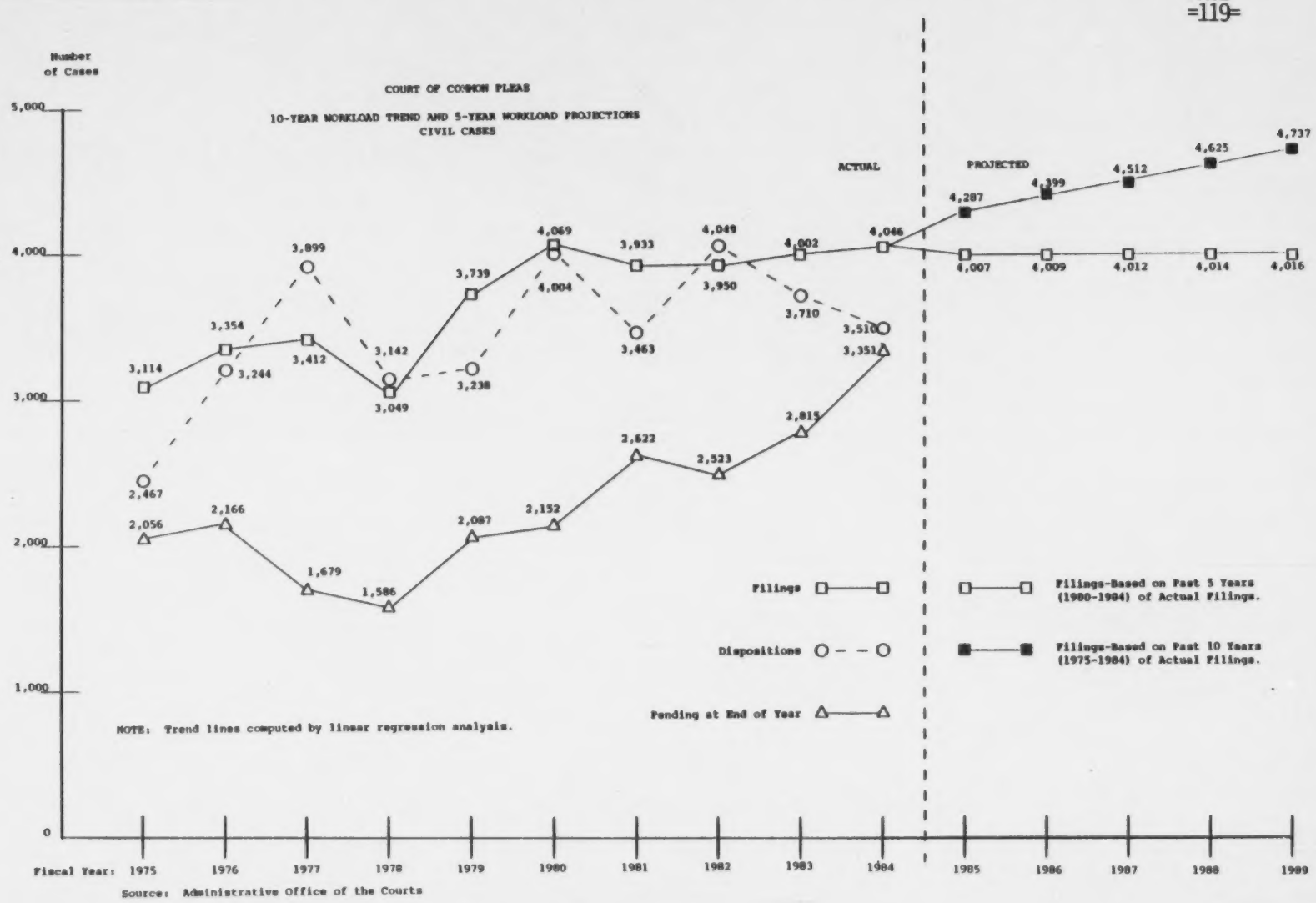
Filings

	Complaints		Civil Judgments, Name Changes		TOTALS	
New Castle	2,749	93.4%	193	6.6%	2,942	100.0%
Kent	488	91.9%	43	8.1%	531	100.0%
Sussex	518	90.4%	55	9.6%	573	100.0%
State	3,755	92.8%	291	7.2%	4,046	100.0%

Dispositions

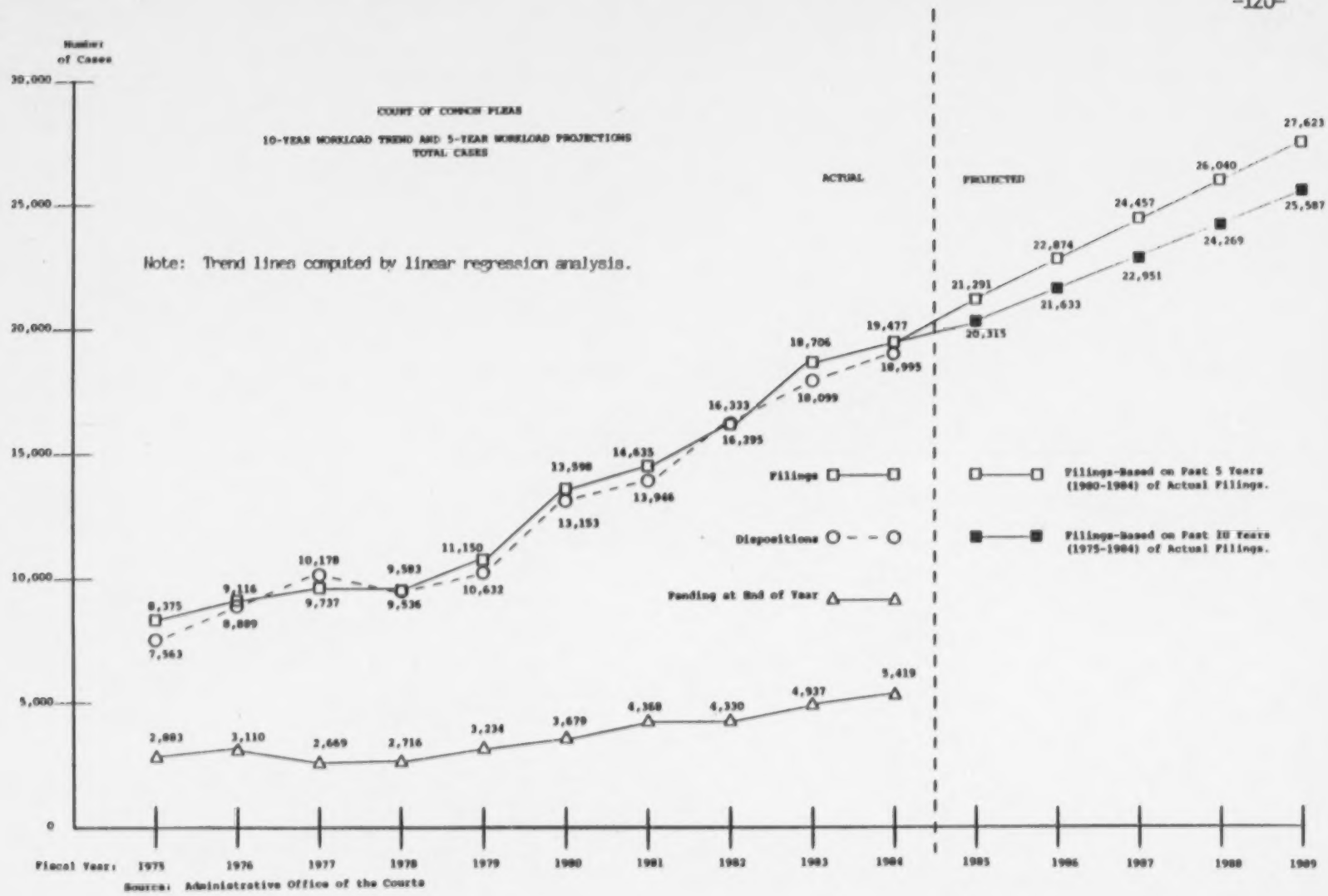
	By Court		By Counsel		TOTALS	
New Castle	476	19.3%	1,988	80.7%	2,464	100.0%
Kent	132	26.8%	361	73.2%	493	100.0%
Sussex	134	24.2%	419	75.8%	553	100.0%
State	742	21.1%	2,768	78.9%	3,510	100.0%

Source: Court Administrator, Court of Common Pleas



NOTE: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts



Source: Administrative Office of the Courts

Municipal Court

MUNICIPAL COURT

Legal Authorization

The Municipal Court of the City of Wilmington is authorized by 10 Delaware Code, Chapter 17.

Geographic Organization

The Court has jurisdiction within the geographic boundaries of Wilmington.

Legal Jurisdiction

Municipal Court has criminal jurisdiction over traffic, misdemeanor, and municipal ordinances concurrent with the Justices of the Peace and the Court of Common Pleas. The Court conducts preliminary hearings for both felonies and drug-related misdemeanors. Jury trials are not available. The Court has a Violations Division which processes all moving and parking citations.

Judges

Number	- There are 3 Judges of the Municipal Court of Wilmington; not more than 2 of the Judges may be members of the same political party.
Appointment	- The Judges are appointed by the Governor, with the approval by the Senate.
Tenure	- Judges are appointed for 12-year terms.
Qualifications	- The Judges must be licensed to practice law in the State of Delaware for 5 years preceding appointment.

Support Personnel

The Chief Judge of the Municipal Court appoints a Chief Clerk who may in turn appoint Deputies.

Caseload Trend

The 10,922 criminal cases filed in the Municipal Court during FY 1984 was 1,055 more than the 9,867 criminal filings from FY 1983 which represents a percentage rise of 10.7%. The 10,540 criminal dispositions in FY 1984 was an increase of 568 dispositions from the 9,972 criminal dispositions in FY 1983, a percentage change of +5.7%.

The totals for traffic cases rose at about the same rate as the criminal filing and disposition totals increased in FY 1984. Filings rose from 14,469 in FY 1983 to 15,737 in FY 1984, a rise of 1,268 filings which represented a percentage increase of 8.8%. Dispositions in traffic cases rose by about the same amount, increasing from 14,511 in FY 1983 to 15,372 in FY 1984. This increase of 861 dispositions resulted in a percentage change of 5.9%.

The change in the workload of Municipal Court from one in which almost two-thirds of the cases filed were traffic cases (66.1% in FY 1979) to one in which less than one-half of the cases filed were traffic cases (46.6% in FY 1982) was a dramatic shift. It reversed in FY 1983 when almost 60% (59.5%) of the cases filed in Municipal Court were traffic cases, and remained that way in FY 1984 with traffic filings representing 59.0% of total cases filed.

Totals for both filings and dispositions increased in FY 1984. Total filings increased by 9.6% from 24,336 in FY 1983 to 26,659 in FY 1984. Total dispositions rose by 5.8% from 24,483 in FY 1983 to 25,912 in FY 1984. The result was a jump in year's end pending of 48.2%, from 1,551 at the end of FY 1983 to 2,298 at the end of FY 1984.

MUNICIPAL COURT

Court House
1000 King Street
Wilmington, Delaware 19801
(571-4530)

JUDICIARY

Chief Judge

Hon. Alfred R. Fraczkowski (R, 6/10/94)
Karen A. Brandenberger, Executive Secretary
(571-4550)

Associate Judges

Hon. Carl Goldstein (R, 6/30/94)
Joyce Vietri, Secretary
(571-4551)

Hon. Leonard L. Williams (D, 6/4/78)
(571-4551)

MUNICIPAL COURT

SUPPORT PERSONNEL

Court Commissioners
Charles R. Lee, Clerk of Court
(571-4534)
T. Roger Barton
(571-4540)
Richard O. Douglas
(571-4540)
Furio R. Casale
(571-4540)
Lawrence L. Fitchett
(571-4540)
Carolyn A. Carroll, Secretary
(571-4534)

Law Clerks
John Sullivan
John Clyne

Process Service
Steven Jonkiert

Bailiffs
David L. Dempsey
Gerald Nolan
Cornelius Morris
Lucy Gomez

Criminal Clerical Staff
Josephine Smulski
Kathy Holstein
Mary E. Devine
Diane DeCusatis
Debra Gibbs
Evelyn M. Smith
Shelly Watson
Jenny Faulkner

Traffic Violation Staff
Shirley Cohen
Carolyn Sylvester
Ann Collins
Kimberly Betz

MUNICIPAL COURT

FISCAL YEAR 1984
WORKLOAD SUMMARY*

	Pending 6/30/83	Filings	Dispositions	Pending 6/30/84	Change In Pending	% Change In Pending
Criminal	914	10,922	10,540	1,296	+382	+41.8%
Traffic	637	15,737	15,372	1,002	+365	+57.3%
TOTALS	1,551	26,659	25,912	2,298	+747	+48.2%

COMPARISON - FISCAL YEARS 1983-1984
WORKLOAD*

FILINGS

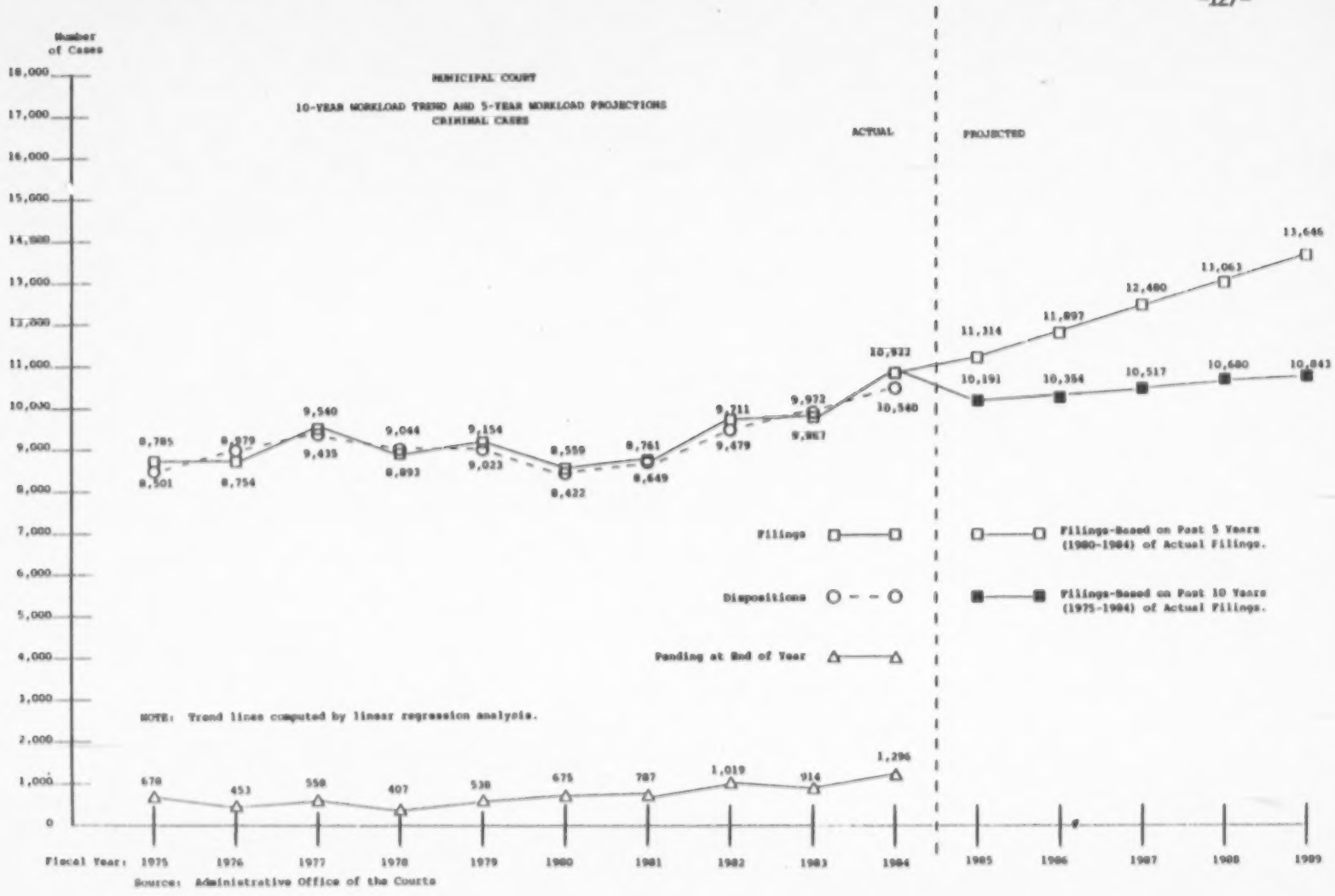
	1983	1984	Change	% Change
Criminal	9,867	10,922	+1,055	+10.7%
Traffic	14,469	15,737	+1,268	+ 8.8%
TOTALS	24,336	26,659	+2,323	+ 9.6%

DISPOSITIONS

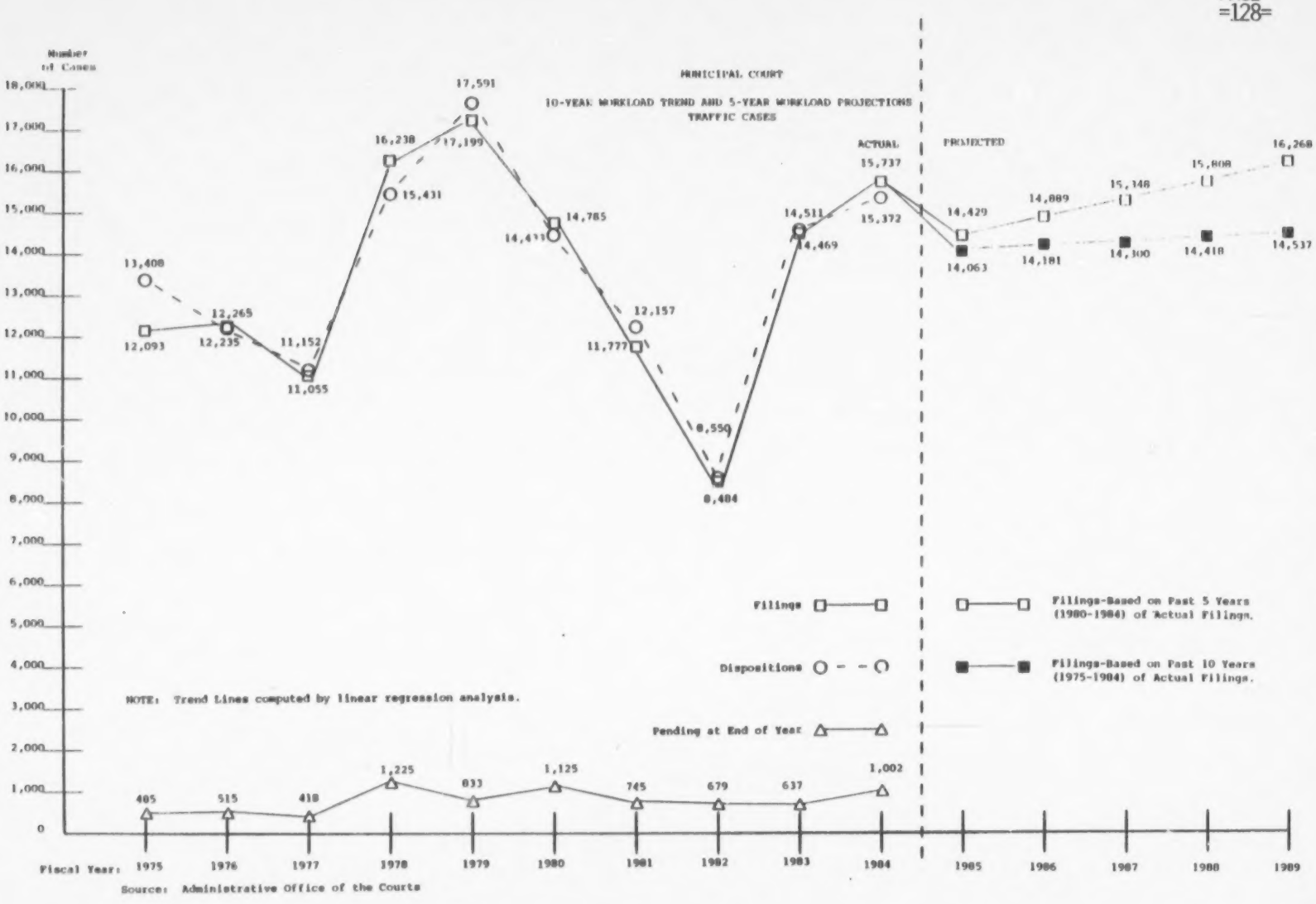
	1983	1984	Change	% Change
Criminal	9,972	10,540	+ 568	+ 5.7%
Traffic	14,511	15,372	+ 861	+ 5.9%
TOTALS	24,483	25,912	+1,429	+ 5.8%

*The unit of count in Municipal Court is the charge. For example, a defendant brought before the Court on 3 charges would be counted as 3 cases.

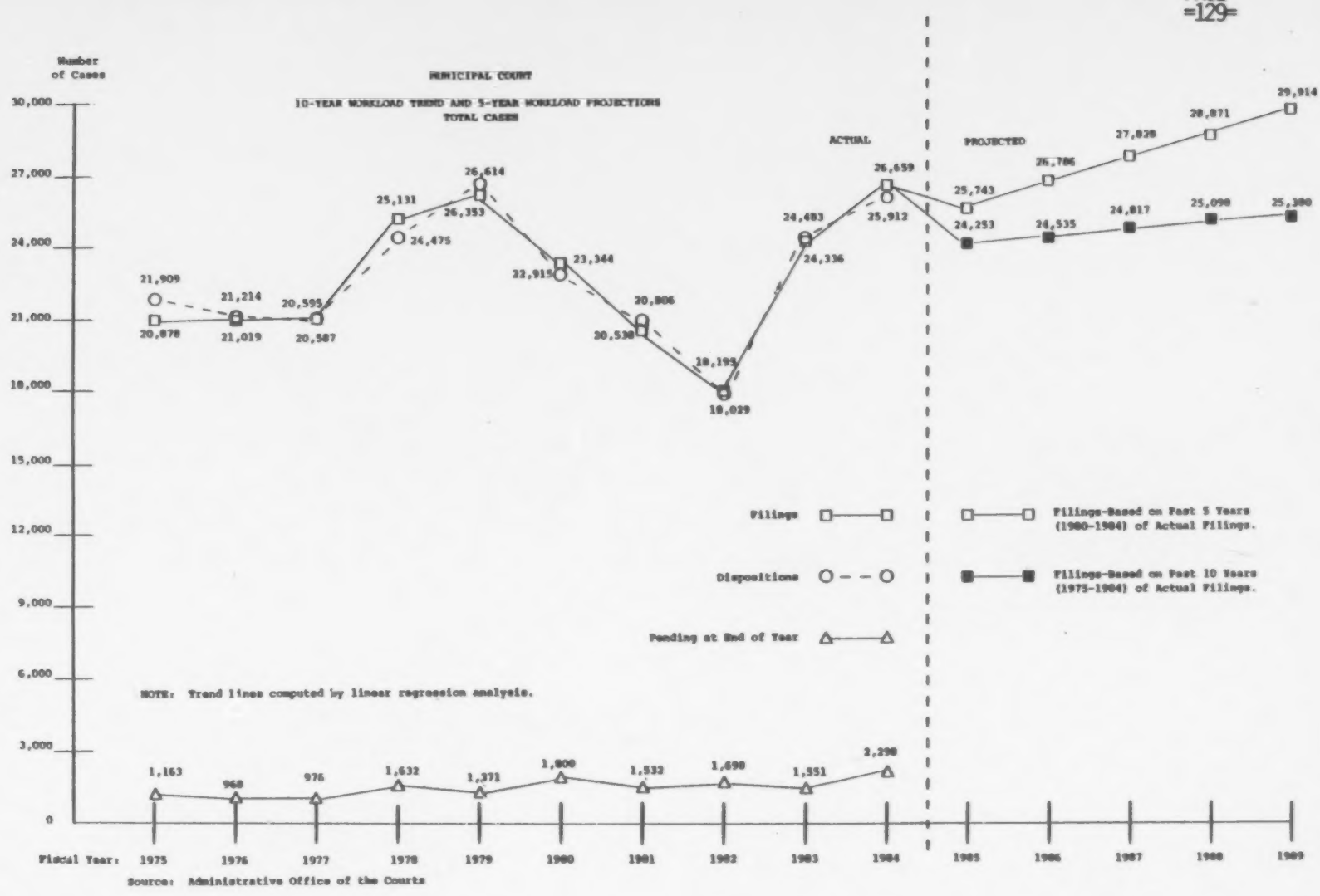
Source: Chief Court Commissioner, Municipal Court



Source: Administrative Office of the Courts



Source: Administrative Office of the Courts



Source: Administrative Office of the Courts

Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

Legal Authorization

The Justice of the Peace Courts are authorized by the Constitution of Delaware, Article IV, Section I.

Geographic Organization

The jurisdiction of the Courts is statewide and sessions are held throughout the State. 19 Courts are currently operating, 8 in New Castle County, 4 in Kent County, and 7 in Sussex County.

Legal Jurisdiction

The Justice of the Peace Courts have jurisdiction over civil cases in which the amount in controversy does not exceed $2,500. JP Courts are authorized to hear certain misdemeanors and most motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. Since Justice of the Peace Courts are not courts of record, appeals may be taken de novo to Superior Court. The subject matter jurisdiction of the Justice of the Peace Courts is shared with the Court of Common Pleas.

Justices of the Peace

The Delaware Code authorizes a maximum of 53 Justices of the Peace, 24 in New Castle County, 12 in Kent County, and 17 in Sussex County. Magistrates are appointed by the Governor with Senate confirmation for four-year terms. A Justice of the Peace must be at least 21 years of age and a resident of the State of Delaware and the county in which he serves. In addition to the 53 Justices of the Peace, the Governor appoints a Chief Magistrate, subject to Senate confirmation.

Support Personnel

An Administrator and a pair of administrative officers help the Chief Magistrate direct the JP Courts on a day-to-day basis. The State provides chief clerks, deputy clerks, constables, bailiffs, and presentence officers for the courts.

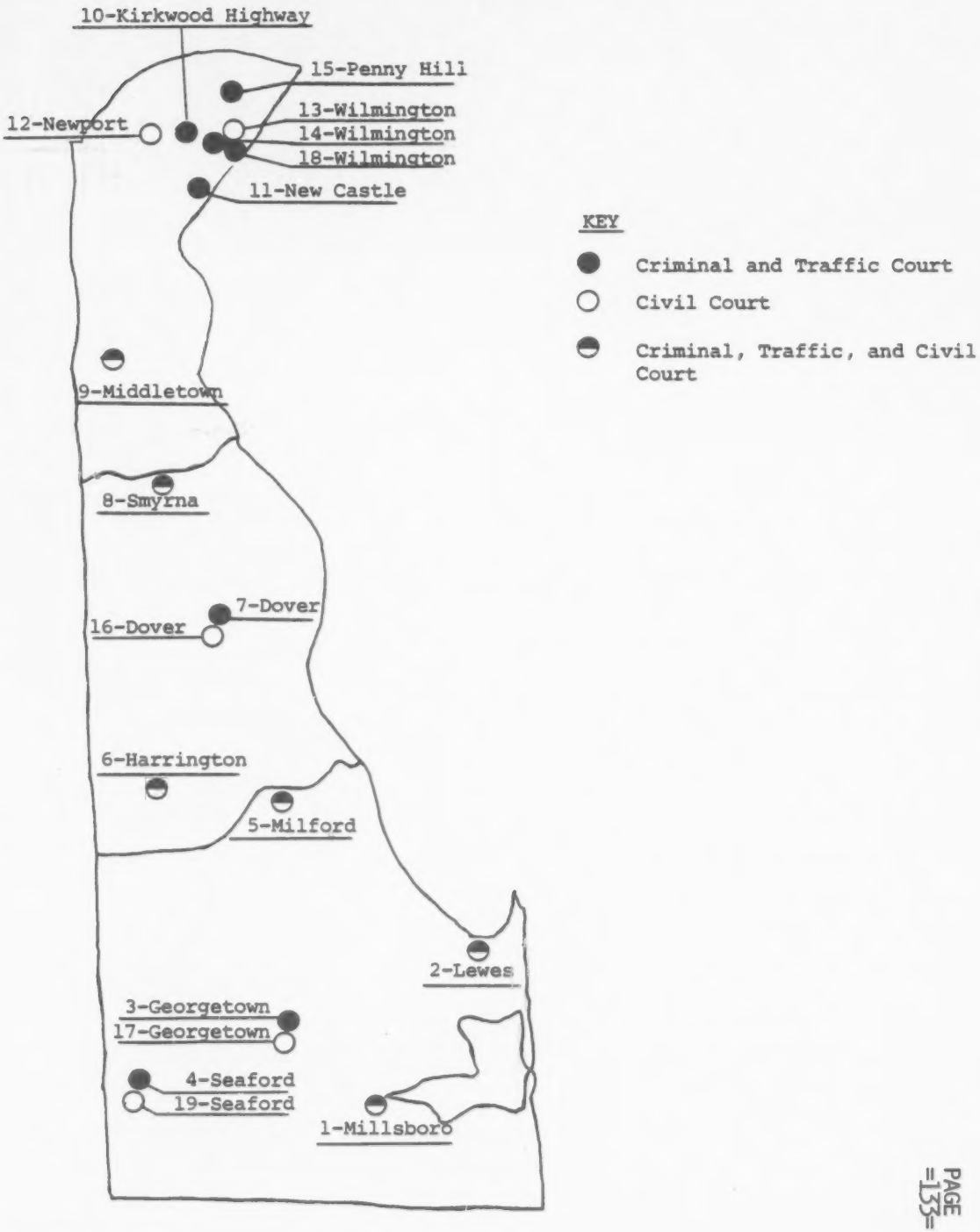
Caseload Trend

The total number of cases filed in the JP Courts during FY 1984 was 177,731, an increase of 5,004 from the 172,727 filings in FY 1983. This number of filings was a new high for a single fiscal year in the JP Courts. The 177,286 total dispositions in FY 1984 was also a record high, up 5,627 from the total of 171,659 in FY 1983.

Criminal cases rose in FY 1984 to a new high of 156,925 filings, 2.9% more than the 152,483 criminal filings in FY 1983. Criminal dispositions rose by 2.8% to a new high of 156,003 in FY 1984 from 151,752 in FY 1983. Criminal pending rose by 36.1% in FY 1984 to 3,479 from 2,557 at the end of FY 1983.

The 20,806 civil cases filed in FY 1984 was an all-time high, up by 2.8% from the FY 1983 total of 20,244. The number of civil cases disposed of rose to an all-time record 21,283 in FY 1984, a rise of 6.9% from the 19,907 civil dispositions in FY 1983. The increase in dispositions led to a 3.1% decrease in civil pending from 15,370 at the end of FY 1983 to 14,893 at the end of FY 1984.

JUSTICE OF THE PEACE COURTS IN DELAWARE



JUSTICE OF THE PEACE COURTS

Court	Location	Hours Open	Total Hours Open Per Week	Jurisdiction
New Castle County				
Court 9	Middletown	M, Tu, Th, F 8AM-4PM; W Noon-8PM	40	Criminal & Civil
Court 10	Kirkwood Highway	7 Days Per Week, 8AM-Midnight	112	Criminal
Court 11	New Castle	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 12	Newport	M-F 8:30AM-4:30PM	40	Civil
Court 13	Wilmington	M-F 8:30AM-4:30PM	40	Civil
Court 14	Wilmington	M-F 8:30AM-4:30PM	40	Criminal
Court 15	Penny Hill	M, Sat 8AM-4PM; Tu-F 8AM-Midnight	80	Criminal
Court 18	Wilmington	M-F 9AM-5PM	40	Criminal
Kent County				
Court 6	Harrington	M-F 8AM-4PM	40	Criminal & Civil
Court 7	Dover	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 16	Dover	M-F 8:30AM-4:30PM	40	Civil
Court 8	Smyrna	M-F 8AM-4PM	40	Criminal & Civil
Sussex County				
Court 1	Millsboro	M-F 9AM-5PM	40	Criminal & Civil
Court 2	Lewes	M, Tu 8AM-4PM; W-Sat 8AM-Midnight	80	Criminal & Civil
Court 3	Georgetown	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 17	Georgetown	M-F 8AM-4PM	40	Civil
Court 4	Seaford	M-Sat 8AM-Midnight	96	Criminal
Court 19	Seaford	M-F 8AM-4PM	40	Civil
Court 5	Milford	M-F 8AM-4PM	40	Criminal & Civil

JUDICIARY

Chief Magistrate
Hon. Norman A. Barron (6/20/88)
Pamela A. Nagle, Secretary

New Castle County
Deputy Chief Magistrate
Hon. Morris Levenberg (6/30/85)

New Castle County
Justices of the Peace
Hon. Andrew G. Ahern, Jr. (6/27/84)
Hon. Richard L. Brandenberg (6/30/86)
Hon. William W. Brittingham (6/20/85)
Hon. Ronald E. Cheeseman (5/22/84)
Hon. Joseph F. Desmond (1/28/86)
Hon. Mable M. English (6/22/83)
Hon. Vicki Ann Hagel (5/31/87)
Hon. Barbara C. Hughes (6/30/85)
Hon. Lorin P. Hunt (6/27/84)
Hon. Virginia W. Johnson (6/30/86)
Hon. Vivian K. Kleinman (5/31/87)
Hon. Ann A. Lewis (5/10/87)
Hon. Ruth P. Malm (1/11/81)
Hon. John P. McLaughlin (5/22/84)
Hon. Marc P. Niedzielski (6/1/84)
Hon. Louise L. Reiver (6/20/86)
Hon. William S. Rowe, Jr. (6/20/84)
Hon. Rosalie O. Sullivan (8/5/84)
Hon. Rosalind Toulson (6/2/87)
Hon. John H. Wilding (9/29/84)
Vacant
Vacant
Vacant

Kent County
Deputy Chief Magistrate
Hon. Russell T. Rash (6/30/85)

Kent County
Justices of the Peace
Hon. Margret L. Barrett (6/29/86)
Hon. Helen M. Brandt (6/20/86)
Hon. John P. Greene (6/5/84)
Hon. George W. Kershner, III (6/30/86)
Hon. Joseph A. Knuseman (6/22/87)
Hon. Paul Neeman (6/2/87)
Hon. Ellis B. Parrott (6/10/86)
Hon. Agnes E. Pennella (7/19/87)
Hon. Charles M. Stump (6/5/88)
Hon. Wallace P. Wootten (5/9/78)
Vacant

Sussex County
Deputy Chief Magistrate
Hon. William J. Hopkins, Jr. (4/19/86)
Hon. Thomas J. Orr (6/20/86)

Sussex County
Justices of the Peace
Hon. Sheila A. Blakely (7/19/87)
Hon. William A. Booth (7/1/86)
Hon. Edward G. Davis (7/2/87)
Hon. Jeffrey W. Hague (7/1/88)
Hon. Robert F. Handy (6/5/88)
Hon. Aubrey T. Hudson (6/22/87)
Hon. Thomas W. Hutson (6/27/87)
Hon. John H. McQuay (1/12/85)
Hon. Howard W. Mulvaney, III (7/19/87)
Hon. Almetia J. Murray (7/1/86)
Hon. William F. Plack, Jr. (6/20/86)
Hon. Horace W. Short (5/29/88)
Hon. Abigayle E. Truitt (7/2/87)
Hon. Walter J. Godwin (6/30/88)
Hon. Edward G. Pollard, Jr. (6/30/88)

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL

NEW CASTLE COUNTY

CHIEF MAGISTRATE'S OFFICE
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, Delaware 19801
(571-2485)

Administrator
Michael E. McLaughlin
Vacant, Secretary

Administrative Officers
Thomas W. Nagle
Mary E. Cooper
Christine Hojnicki, Clerk

Administrative Assistant
Sandra L. Coleman

COURT 9
18 South Broad Street
Kirkwood Highway
Middletown, DE 19709
(571-2499)

Chief Clerk
Agnes B. Thompson

KENT COUNTY

COURT 6
Post Office Box 3
Route 13
Harrington, DE 19952
(736-4558)

Chief Clerk
Betty Pleasanton

SUSSEX COUNTY

COURT 1
Post Office Box 192
Route 113
Milleboro, DE 19966
(856-5443)

Chief Clerk
Margaret Ross

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

COURT 10
2207 St. James Church Road
Wilmington, DE 19808
(995-8640)

Chief Clerk
Caroline F. Pini

Presentence Officer
Hazel Plant

COURT 11
1202 Delaware Street
New Castle, DE 19720
(323-4450)

Chief Clerk
Luann Schueler

COURT 12
1500 East Newport Pike
Wilmington, DE 19804
(571-2561)

Chief Clerk
Ann Marie Ellingsworth

KENT COUNTY

COURT 7
Post Office Box 1081
Railroad and Loockerman Streets
Dover, DE 19901
(736-4554)

Chief Clerk
Marjorie Nolette

Presentence Officer
Monika Rash

COURT 8
115 East North Street
Smyrna, DE 19977
(736-4556)

Chief Clerk
Ruth Porter

COURT 16
Post Office Box 1081
Railroad and Loockerman Streets
Dover, DE 19901
(736-4316)

Chief Clerk
Evelyn Webb

SUSSEX COUNTY

COURT 2
Post Office Box 492
Route 9
Lewes, DE 19958
(856-5323)

Chief Clerk
Joanne R. Willey

COURT 3
Post Office Box 605
Route 113
Georgetown, DE 19947
(856-5448)

Chief Clerk
Barbara E. Adams

Presentence Officer
Wanda Black

COURT 4
Post Office Box 718
817 Norman Eskridge Highway
Seaford, DE 19973
(856-5324)

Chief Clerk
Mary Lee Lowe

JUSTICE OF THE PEACE COURTS
SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

COURT 13
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801
(571-2550)

Chief Clerk
Claire Lucas

COURT 14
Elbert N. Carvel Delaware State Building
820 North French Streets
Wilmington, DE 19801
(571-2552)

Chief Clerk
Margaret Kenney

COURT 15
716 Philadelphia Pike
Wilmington, DE 19809
(571-2493)

Chief Clerk
Geraldine McLaughlin

COURT 18
Multi-Purpose Criminal Justice Facility
Post Office Box 9279
1301 East 12th Street
Wilmington, DE 19809
(429-7740)

Chief Clerk
Edna Conner

NEW CASTLE COUNTY CAPIAS CONTROL CENTER
Justice of the Peace Court No. 11
1202 Delaware Street
New Castle, DE 19720
(323-4451)

Chief Clerk
Gaile Kerrigan

KENT COUNTY

FISCAL ADMINISTRATIVE OFFICE
Justice of the Peace Court No. 7
Post Office Box 1081
Railroad and Loockerman Streets
Dover, DE 19901
(736-4188)

Fiscal Administrative Officer
Earl Shockley

KENT COUNTY CAPIAS CONTROL CENTER
Justice of the Peace Court No. 7
Post Office Box 1081
Railroad and Loockerman Streets
Dover, DE 19901
(736-4353)

Chief Clerk
Nelle Goodson

SUSSEX COUNTY

COURT 5
Post Office Box 254
248 South Rehoboth Boulevard
Milford, DE 19963
(856-5227)

Chief Clerk
Leah Betts

COURT 17
Post Office Box 605
Route 113
Georgetown, DE 19947
(856-5577)

Chief Clerk
Wanda Abbott

COURT 19
Post Office Box 718
817 Norman Eskridge Highway
Seaford, DE 19973
(856-5636)

Chief Clerk
Ida Mae Friedel

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1984
CRIMINAL AND TRAFFIC CASES*
WORKLOAD SUMMARY

	Pending 6/30/83	Filings	Dispositions	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle County						
Court 9	11	4,598	4,598	11	0	0.0%
Court 10	159	21,935	21,980	114	- 45	- 28.3%
Court 11	742	34,978	34,435	1,285	+543	+ 73.2%
Court 14**	0	0	0	0	0	-
Court 15	0	16,865	16,865	0	0	-
Court 18	0	3,769	3,769	0	0	-
Kent County						
Court 6	2	5,291	5,292	1	- 1	- 50.0%
Court 7	223	24,292	24,247	268	+ 45	+ 20.2%
Court 8	192	2,980	2,982	190	- 2	- 1.0%
Sussex County						
Court 1	9	3,085	3,092	2	- 7	- 77.8%
Court 2	972	10,823	10,455	1,340	+368	+ 37.9%
Court 3	154	13,522	13,497	179	+ 25	+ 16.2%
Court 4	57	12,517	12,502	72	+ 15	+ 26.3%
Court 5	36	2,270	2,289	17	- 19	- 52.8%
State	2,557	156,925	156,003	3,479	+922	+ 36.1%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1984
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS

FILINGS

	Title 7 Fish/Game		Title 11 Criminal		Title 21 Traffic		Miscellaneous		TOTALS	
New Castle County										
Court 9	193	4.2%	72	1.6%	4,182	91.0%	151	3.3%	4,598	100.0%
Court 10	506	2.3%	3,030	13.8%	17,308	78.9%	1,091	5.0%	21,935	100.0%
Court 11	428	1.2%	7,701	22.0%	23,817	68.1%	3,032	8.7%	34,978	100.0%
Court 14**	0	-	0	-	0	-	0	-	0	-
Court 15	154	0.9%	961	5.7%	15,750	93.4%	0	0.0%	16,865	100.0%
Court 18	0	0.0%	3,161	83.9%	290	7.7%	318	8.4%	3,769	100.0%
Kent County										
Court 6	20	0.4%	510	9.6%	4,641	87.7%	120	2.3%	5,291	100.0%
Court 7	172	0.7%	3,696	15.2%	19,553	80.5%	871	3.6%	24,292	100.0%
Court 8	58	2.0%	305	10.2%	2,430	81.5%	187	6.3%	2,980	100.0%
Sussex County										
Court 1	109	3.5%	233	7.6%	2,663	86.3%	80	2.6%	3,085	100.0%
Court 2	183	1.7%	494	4.6%	10,006	92.5%	140	1.3%	10,823	100.0%
Court 3	86	0.6%	4,285	31.7%	8,705	64.4%	446	3.3%	13,522	100.0%
Court 4	87	0.7%	1,587	12.7%	10,672	85.3%	171	1.4%	12,517	100.0%
Court 5	85	3.7%	371	16.3%	1,744	76.8%	70	3.1%	2,270	100.0%
State	2,081	1.3%	26,406	16.8%	121,761	77.6%	6,677	4.3%	156,925	100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1984
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS (CONTINUED)

DISPOSITIONS

	Title 7 Fish/Game		Title 11 Criminal		Title 21 Traffic		Miscellaneous		TOTALS	
New Castle County										
Court 9	185	4.0%	68	1.5%	4,200	91.3%	145	3.2%	4,598	100.0%
Court 10	501	2.3%	3,037	13.8%	17,393	79.1%	1,049	4.8%	21,980	100.0%
Court 11	466	1.4%	7,473	21.7%	23,452	68.1%	3,044	8.8%	34,435	100.0%
Court 14**	0	-	0	-	0	-	0	-	0	-
Court 15	154	0.9%	961	5.7%	15,750	93.4%	0	0.0%	16,865	100.0%
Court 18	0	0.0%	3,161	83.9%	290	7.7%	318	8.4%	3,769	100.0%
Kent County										
Court 6	20	0.4%	509	9.6%	4,643	87.7%	120	2.3%	5,292	100.0%
Court 7	172	0.7%	3,681	15.2%	19,523	80.5%	871	3.6%	24,247	100.0%
Court 8	58	2.0%	303	10.2%	2,434	81.6%	187	6.3%	2,982	100.0%
Sussex County										
Court 1	109	3.5%	232	7.5%	2,671	86.4%	80	2.6%	3,092	100.0%
Court 2	181	1.7%	438	4.2%	9,697	92.8%	139	1.3%	10,455	100.0%
Court 3	88	0.7%	4,292	31.8%	8,668	64.2%	449	3.3%	13,497	100.0%
Court 4	88	0.7%	1,600	12.8%	10,643	85.1%	171	1.4%	12,502	100.0%
Court 5	87	3.8%	376	16.4%	1,757	76.8%	69	3.0%	2,289	100.0%
State	2,109	1.4%	26,131	16.8%	121,121	77.6%	6,642	4.3%	156,003	100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1984
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS

CHANGE IN PENDING

	Title 7 Fish/Game	Title 11 Criminal	Title 21 Traffic	Miscellaneous	TOTALS
New Castle County					
Court 9	+ 8	+ 4	- 18	+ 6	0
Court 10	+ 5	- 7	- 85	+ 42	- 45
Court 11	- 38	+228	+365	- 12	+543
Court 14**	0	0	0	0	0
Court 15	0	0	0	0	0
Court 18	0	0	0	0	0
Kent County					
Court 6	0	+ 1	- 2	0	- 1
Court 7	0	+ 15	+ 30	0	+ 45
Court 8	0	+ 2	- 4	0	- 2
Sussex County					
Court 1	0	+ 1	- 8	0	- 7
Court 2	+ 2	+ 56	+309	+ 1	+368
Court 3	- 2	- 7	+ 37	- 3	+ 25
Court 4	- 1	- 13	+ 29	0	+ 15
Court 5	- 2	- 5	- 13	+ 1	- 19
State	- 28	+275	+640	+ 35	+922

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1984
CRIMINAL AND TRAFFIC CASES*
TYPES OF DISPOSITIONS

	By Mail-In Fine		By Court Appearance		By Counsel Appearance		TOTALS	
New Castle County								
Court 9	3,851	83.8%	562	12.2%	185	4.0%	4,598	100.0%
Court 10	11,603	52.8%	9,868	44.9%	509	2.3%	21,980	100.0%
Court 11	14,773	42.9%	19,662	57.1%	0	0.0%	34,435	100.0%
Court 14**	0	-	0	-	0	-	0	-
Court 15	8,295	49.2%	8,570	50.8%	0	0.0%	16,865	100.0%
Court 18	0	0.0%	3,769	100.0%	0	0.0%	3,769	100.0%
Kent County								
Court 6	3,768	71.2%	1,488	28.1%	36	0.7%	5,292	100.0%
Court 7	13,614	56.1%	10,066	41.5%	567	2.3%	24,247	100.0%
Court 8	2,142	71.8%	757	25.4%	83	2.8%	2,982	100.0%
Sussex County								
Court 1	2,227	72.0%	853	27.6%	12	0.4%	3,092	100.0%
Court 2	7,182	68.7%	3,273	31.3%	0	0.0%	10,455	100.0%
Court 3	5,197	38.5%	8,300	61.5%	0	0.0%	13,497	100.0%
Court 4	7,577	60.6%	4,925	39.4%	0	0.0%	12,502	100.0%
Court 5	854	37.3%	1,344	58.7%	91	4.0%	2,289	100.0%
State	81,083	52.0%	73,437	47.1%	1,483	1.0%	156,003	100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

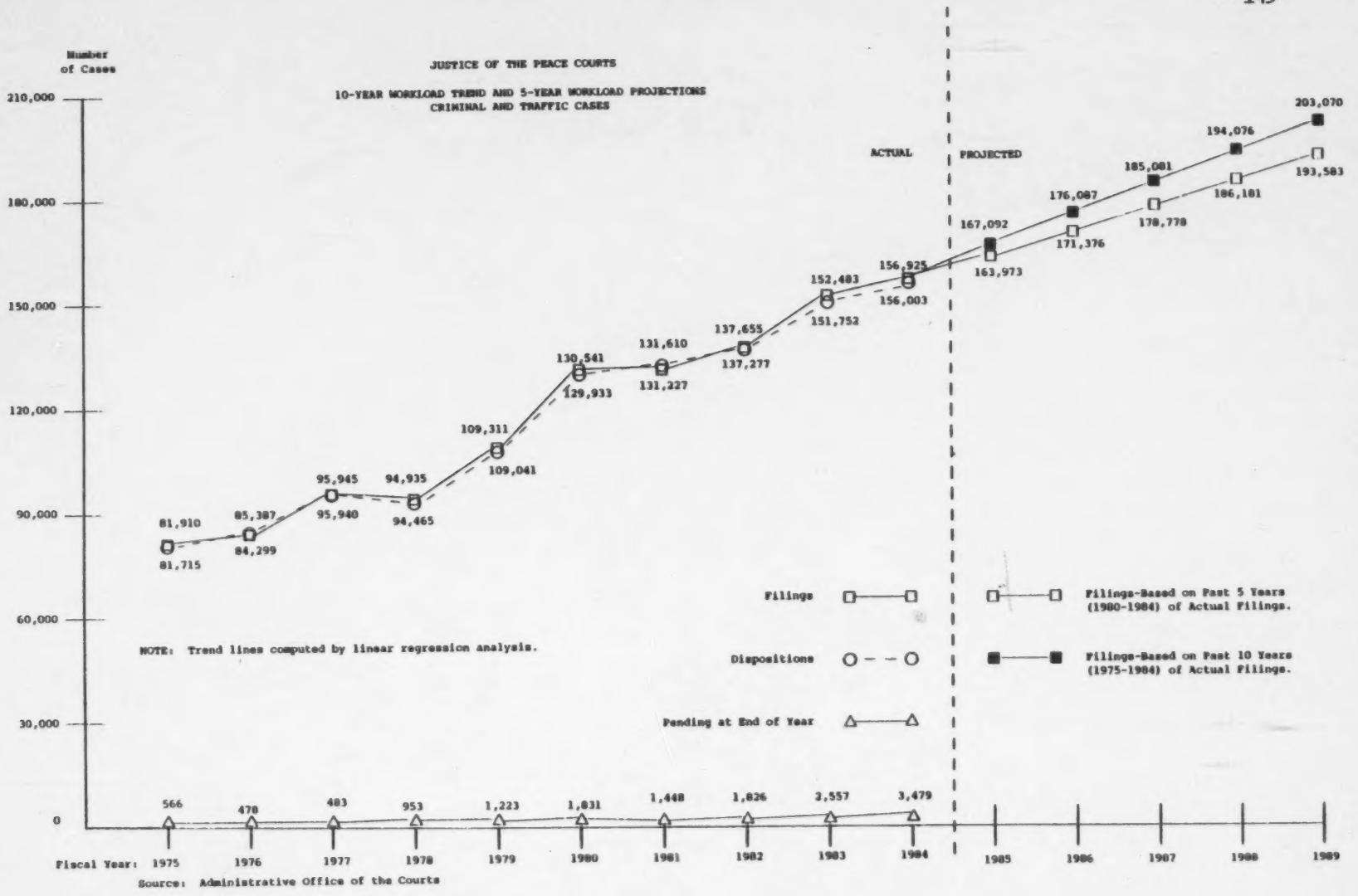
COMPARISON - FISCAL YEARS 1983-1984
CRIMINAL AND TRAFFIC CASES*
WORKLOAD

	FILINGS				DISPOSITIONS			
	1983	1984	Change	% Change	1983	1984	Change	% Change
New Castle County								
Court 9	6,744	4,598	-2,146	-31.8%	6,762	4,598	-2,164	-32.0%
Court 10	22,241	21,935	- 306	- 1.4%	22,145	21,980	- 165	- 0.7%
Court 11	28,267	34,978	+6,711	+23.7%	28,052	34,435	+6,383	+22.8%
Court 14**	0	0	0	-	0	0	0	-
Court 15	14,077	16,865	+2,788	+19.8%	14,077	16,865	+2,788	+19.8%
Court 18	3,195	3,769	+ 574	+18.0%	3,195	3,769	+ 574	+18.0%
Kent County								
Court 6	6,687	5,291	-1,396	-20.9%	6,687	5,292	-1,395	-20.9%
Court 7	22,806	24,292	+1,486	+ 6.5%	22,818	24,247	+1,429	+ 6.3%
Court 8	3,507	2,980	- 527	-15.0%	3,464	2,982	- 482	-13.9%
Sussex County								
Court 1	2,957	3,085	+ 128	+ 4.3%	2,949	3,092	+ 143	+ 4.9%
Court 2	14,265	10,823	-3,442	-24.1%	13,893	10,455	-3,438	-24.8%
Court 3	11,900	13,522	+1,622	+13.6%	11,848	13,497	+1,649	+13.9%
Court 4	13,262	12,517	- 745	- 5.6%	13,264	12,502	- 762	- 5.7%
Court 5	2,575	2,270	- 305	-11.8%	2,598	2,289	- 309	-11.9%
State	152,483	156,925	+4,442	+ 2.9%	151,752	156,003	+4,251	+ 2.8%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts


JUSTICE OF THE PEACE COURTS
10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CRIMINAL AND TRAFFIC CASES
Number of Cases
210,000
180,000
150,000
120,000
90,000
60,000
30,000
0
ACTUAL
PROJECTED
81,910
85,387
95,945
94,935
109,311
130,541
131,610
137,655
152,483
156,925
81,715
84,299
95,940
94,465
109,041
129,933
131,227
137,277
151,752
156,003
167,092
176,087
185,081
194,076
203,070
163,973
171,376
178,778
186,181
193,583
566
478
483
953
1,223
1,831
1,448
1,826
2,557
3,479
Fiscal Year: 1975
1976
1977
1978
1979
1980
1981
1982
1983
1984
1985
1986
1987
1988
1989
Filings
Dispositions
Pending at End of Year
Filings-Based on Past 5 Years (1980-1984) of Actual Filings.
Filings-Based on Past 10 Years (1975-1984) of Actual Filings.
NOTE: Trend lines computed by linear regression analysis.
Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1984
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/83	Filings	Dispositions	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle County						
Court 9	16	252	261	7	- 9	- 56.3%
Court 10*	4,848	0	2	4,846	- 2	- 0.0%
Court 11*	1,244	0	0	1,244	0	0.0%
Court 12	1,806	5,086	4,317	2,575	+ 769	+ 42.6%
Court 13	2,199	7,276	7,594	1,881	- 318	- 14.5%
Kent County						
Court 6	20	578	559	39	+ 19	+ 95.0%
Court 16	3,773	3,251	4,324	2,700	-1,073	- 28.4%
Court 8	127	472	451	148	+ 21	+ 16.5%
Sussex County						
Court 1	58	427	461	24	- 34	- 58.6%
Court 2	960	332	247	1,045	+ 85	+ 8.9%
Court 17	161	1,475	1,447	189	+ 28	+ 17.4%
Court 19	66	806	813	59	- 7	- 10.6%
Court 5	92	851	807	136	+ 44	+ 47.8%
State	15,370	20,806	21,283	14,893	- 477	- 3.1%

*Criminal court only.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1984
CIVIL CASES
WORKLOAD BREAKDOWNS

	FILINGS						DISPOSITIONS					
	Complaints		Landlord/Tenant		TOTALS		Complaints		Landlord/Tenant		TOTALS	
New Castle County												
Court 9	200	79.4%	52	20.6%	252	100.0%	209	80.1%	52	19.9%	261	100.0%
Court 10*	0	-	0	-	0	-	2	100.0%	0	0.0%	2	100.0%
Court 11*	0	-	0	-	0	-	0	-	0	-	0	-
Court 12	3,070	60.4%	2,016	39.6%	5,086	100.0%	3,164	73.3%	1,153	26.7%	4,317	100.0%
Court 13	4,902	67.4%	2,374	32.6%	7,276	100.0%	5,497	72.4%	2,097	27.6%	7,594	100.0%
Kent County												
Court 6	541	93.6%	37	6.4%	578	100.0%	526	94.1%	33	5.9%	559	100.0%
Court 16	2,908	89.5%	343	10.6%	3,251	100.0%	3,909	90.4%	415	9.6%	4,324	100.0%
Court 8	444	94.1%	28	5.9%	472	100.0%	424	94.0%	27	6.0%	451	100.0%
Sussex County												
Court 1	335	78.5%	92	21.6%	427	100.0%	367	79.6%	94	20.4%	461	100.0%
Court 2	270	81.3%	62	18.7%	332	100.0%	196	79.4%	51	20.7%	247	100.0%
Court 17	1,425	96.6%	50	3.4%	1,475	100.0%	1,400	96.8%	47	3.3%	1,447	100.0%
Court 19	629	78.0%	177	22.0%	806	100.0%	651	80.1%	162	19.9%	813	100.0%
Court 5	829	97.4%	22	2.6%	851	100.0%	789	97.8%	18	2.2%	807	100.0%
State	15,553	74.8%	5,253	25.3%	20,806	100.0%	17,134	80.5%	4,149	19.5%	21,283	100.0%

*Criminal court only.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1984
CIVIL CASES
WORKLOAD BREAKDOWNS (CONTINUED)

CHANGE IN PENDING

	Complaints	Landlord/Tenant	TOTALS
New Castle County			
Court 9	- 9	0	- 9
Court 10*	- 2	0	- 2
Court 11*	0	0	0
Court 12	- 94	+ 863	+ 769
Court 13	- 595	+ 277	- 318
Kent County			
Court 6	+ 15	+ 4	+ 19
Court 16	-1,001	- 72	-1,073
Court 8	+ 20	+ 1	+ 21
Sussex County			
Court 1	- 32	- 2	- 34
Court 2	+ 74	+ 11	+ 85
Court 17	+ 25	+ 3	+ 28
Court 19	- 22	+ 15	- 7
Court 5	+ 40	+ 4	+ 44
State	-1,581	+1,104	- 477

*Criminal court only.

Source: Chief Magistrate's Office, Justice of the Peace Courts

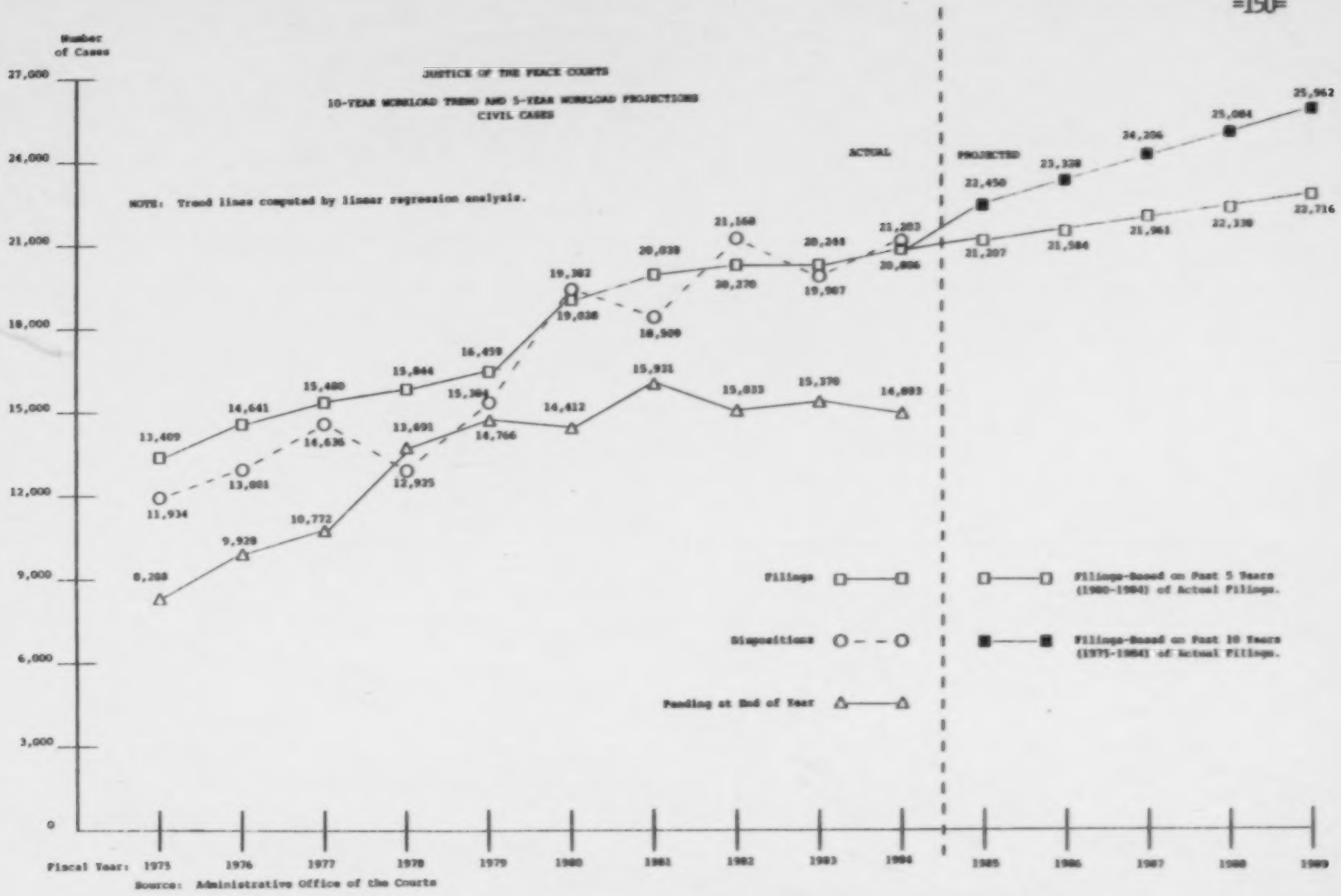
JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1983-1984
CIVIL CASES
WORKLOAD

	FILINGS				DISPOSITIONS			
	1983	1984	Change	% Change	1983	1984	Change	% Change
New Castle County								
Court 9	274	252	- 22	- 8.0%	343	261	- 82	-23.9%
Court 10*	0	0	0	-	6	2	- 4	-66.7%
Court 11*	0	0	0	-	0	0	-	-
Court 12	5,340	5,086	- 254	- 4.8%	4,006	4,317	+ 311	+ 7.8%
Court 13	7,195	7,276	+ 81	+ 1.1%	8,781	7,594	- 1,187	-13.5%
Kent County								
Court 6	413	578	+ 165	+40.0%	399	559	+ 160	+40.1%
Court 16	2,886	3,251	+ 365	+12.7%	2,309	4,324	+ 2,015	+87.3%
Court 8	461	472	+ 11	+ 2.4%	416	451	+ 35	+ 8.4%
Sussex County								
Court 1	517	427	- 90	-17.4%	492	461	- 31	- 6.3%
Court 2	429	332	- 97	-22.6%	324	247	- 77	-23.8%
Court 17	1,021	1,475	+ 454	+44.5%	1,052	1,447	+ 395	+37.6%
Court 19	948	806	- 142	-15.0%	981	813	- 168	-17.1%
Court 5	760	851	+ 91	+12.0%	798	807	+ 9	+ 1.1%
State	20,244	20,806	+ 562	+ 2.8%	19,907	21,283	+ 1,376	+ 6.9%

*Criminal court only.

Source: Chief Magistrate's Office, Justice of the Peace Courts



Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

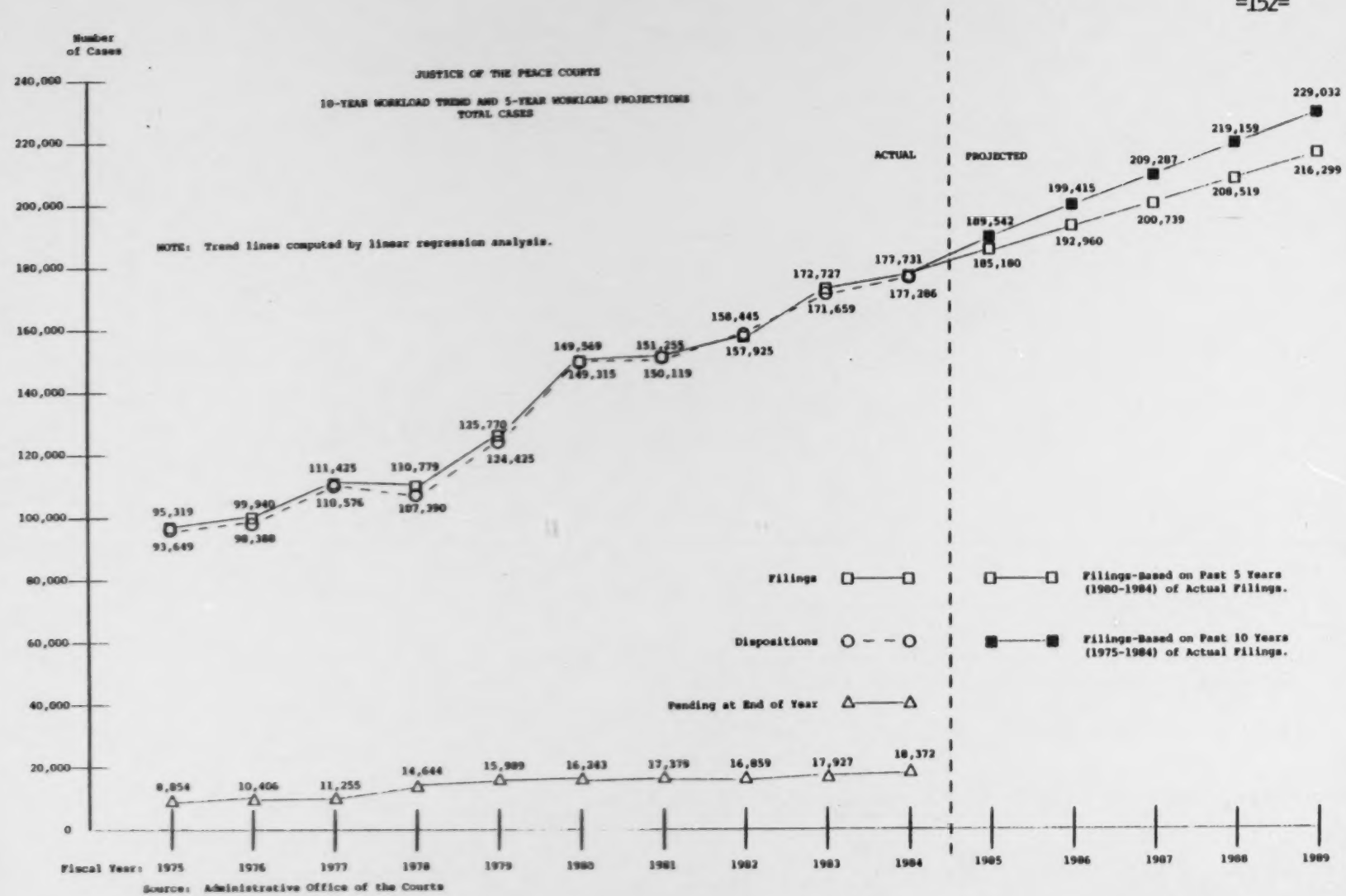
FISCAL YEAR 1984
RANKINGS IN ORDER OF TOTAL CASES FILED

Rank	Court	Total Number of Cases Filed*	Percentage of Total	FY 1983 Rank
1	11	34,978	19.7%	1
2	7	24,292	13.7%	2
3	10	21,935	12.3%	3
4	15	16,865	9.5%	5
5	3	13,522	7.6%	7
6	4	12,517	7.0%	6
7	2	11,155	6.3%	4
8	13	7,276	4.1%	8
9	6	5,869	3.3%	9
10	12	5,086	2.9%	11
11	9	4,850	2.7%	10
12	18	3,769	2.1%	15
13	1	3,512	2.0%	13
14	8	3,452	1.9%	12
15	16	3,251	1.8%	16
16	5	3,121	1.8%	14
17	17	1,475	0.8%	17
18	19	806	0.5%	18
19	14**	0	0.0%	19
	State	177,731	100.0%	

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts



Source: Administrative Office of the Courts

Alderman's Courts

ALDERMAN'S COURTS

Legal Authorization

Alderman's Courts are authorized by the town charters of their respective towns.

Geographic Organization

Alderman's Courts have jurisdiction only within their own town limits. There are currently 12 active Alderman's or Mayor's Courts; 5 in New Castle County and 7 in Sussex County. When a town is without a court or an alderman for any period of time, its cases are transferred to the nearest Justice of the Peace Court.

Legal Jurisdiction

The jurisdiction of an Alderman's Court is limited to minor misdemeanors, traffic offenses, parking violations, and minor civil matters. The specific jurisdiction of each court again varies with the town charter (which is approved by the State Legislature). Some courts handle only traffic and parking violations; only 3 handled as many as 200 criminal cases during FY 1984. Harrington's Court handled only civil cases until it closed in April, 1984. Appeals are taken de novo to Superior Court within 15 days of the trial.

Aldermen

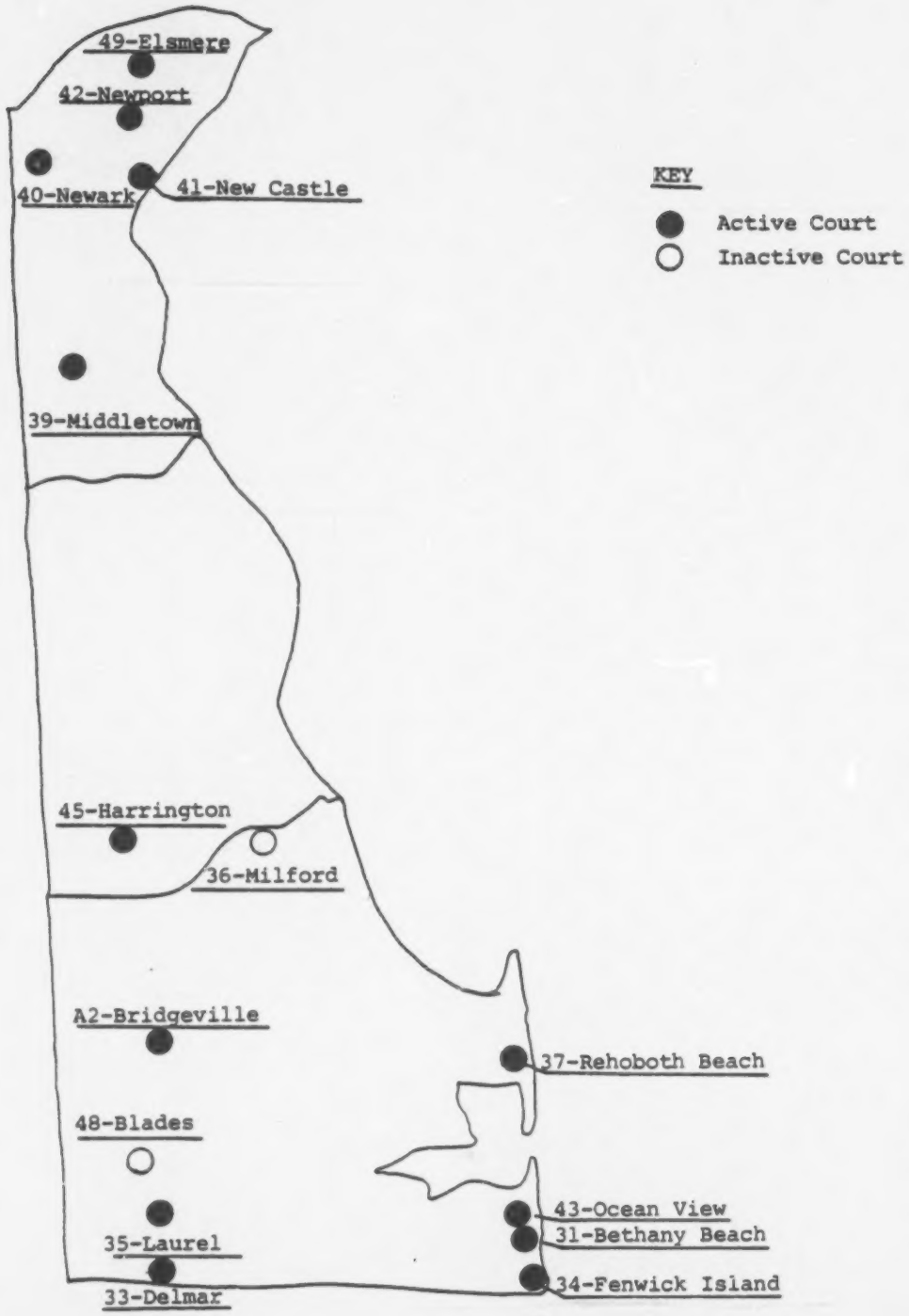
The selection, number, tenure, and qualifications of aldermen are determined by the towns themselves. Some require lawyers; others choose ordinary citizens. A few aldermen serve full-time, but most are part-time judges. In New Castle, the mayor serves as judge of their court.

Caseload Trend

The State Alderman's Courts had an increase in total filings rising from a revised total of 23,965 in FY 1983 to 24,844 in FY 1984 while dispositions rose to 24,306 in FY 1984 from an adjusted total of 23,136 in FY 1983. The result was a 16.0% rise in pending from a revised amount of 3,359 at the end of FY 1983 to 3,897 at the end of FY 1984.

FY 1984 was the ninth year in which complete workload statistics were collected. Many Sussex County Courts continue to experience substantial seasonal fluctuations in their workloads.

ALDERMAN'S COURTS IN DELAWARE



ALDERMAN'S COURTS

Court	Location	Hours Open (As of 6/30/84)	Total Hours Open Per Week	Jurisdiction
New Castle County				
Court 49	Elsmere	M-F 9AM-5PM	40	Traffic
Court 39	Middletown	Tu 5-6PM	1	Criminal & Traffic
Court 40	Newark	M-Th 4:30PM until all cases are disposed of; W 8:30AM until all cases are disposed of	Varies	Criminal & Traffic
Court 41	New Castle	Tu 7:30PM until all cases are disposed of	Varies	Criminal & Traffic
Court 42	Newport	M,W,F 9AM-1PM; T,Th 3PM-7PM	20	Traffic
Sussex County				
Court 31	Bethany Beach	M,W,Sat 8:30-9:30AM; F 7-7:30PM	4	Criminal & Traffic
Court A2	Bridgeville	M,W,Th 9AM-4:30PM; F 9AM-12:30PM	26	Criminal & Traffic
Court 33	Delmar	Tu 10:30AM-3:30PM	5	Criminal & Traffic
Court 34	Fenwick Island	Unset	Varies	Criminal & Traffic
Court 35	Laurel	Tu,F 4:30-8:30PM	8	Criminal & Traffic
Court 43	Ocean View	Unset	Varies	Traffic
Court 37	Rehoboth Beach	M,W-F 4PM-6PM; on call daily	8	Criminal & Traffic

Source: Alderman's Courts

ALDERMAN'S COURTS

ALDERMEN

NEW CASTLE COUNTY

Elsmere
Hon. John L. Mitchell, Sr., Mayor

Middletown
Hon. David D. Chillas, Alderman

Newark
Hon. Vance A. Funk, III, Chief Alderman of Delaware
Hon. Richard E. Franta, Deputy

New Castle
Hon. John F. Klingmeyer, Mayor

Newport
Hon. Joseph A. Palermo, Alderman

KENT COUNTY

SUSSEX COUNTY

Bethany Beach
Hon. J. Joseph Tansey, Alderman
Hon. Harold Britton Barber, Assistant Alderman

Brideville
Hon. Margaret I. Thompson, Alderman

Delmar
Hon. Linda H. Walmsley, Alderman

Fenwick Island
Hon. Richard A. Barton, Deputy Chief Alderman of Delaware

Laurel
Hon. Edward Walmsley, Jr., Alderman

Ocean View
Hon. Marilyn F. Denny, Alderman

Rehoboth Beach
Hon. Marianne McCay, Alderman
Hon. Orville T. Clark, Assistant Alderman

SUPPORT PERSONNEL

NEW CASTLE COUNTY

ELSMERE
Mayor's Court 49
11 Poplar Avenue
Elsmere, DE 19805
(998-2215)

Administrative Assistant
Andrew P. Mariani, Jr.

MIDDLETOWN
Alderman's Court 39
P.O. Box 227
216 N. Broad Street
Middletown, DE 19709
(834-5015)

NEWARK
Alderman's Court 40
220 Elkton Road
P.O. Box 390
Newark, DE 19715
(366-7028, 366-7029)

Clerk of the Court
Margaret B. Nelson

Clerk Typists
Betty Hales
Elaine Koronik
Kathleen R. Lloyd

NEW CASTLE
Mayor's Court
220 Delaware Street
New Castle, DE 19720
(328-4804)

Court Clerk
Mikki DiEmidio

KENT COUNTY

SUSSEX COUNTY

BETHANY BEACH
Alderman's Court 31
P.O. Box 109
Bethany Beach, DE 19930
(539-8011)

BRIDGEVILLE
Alderman's Court A2
101 N. Main Street
Bridgeville, DE 19933
(337-7371)

DELMAR
Alderman's Court 33
P.O. Box 398
Delmar, DE 19940
(846-2138)

FENWICK ISLAND
Alderman's Court 34
Town Hall
Fenwick Island, DE 19944
(539-3011)

LAUREL
Alderman's Court 35
P.O. Box 210
Laurel, DE 19956
(875-2855)

Court Clerk
Linda H. Walmsley

ALDERMAN'S COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

NEWPORT
Alderman's Court 42
15 N. Augustine Street
P.O. Box 3053
Newport, DE 19804
(998-2707)

Court Clerk
Annette Leach

KENT COUNTY

SUSSEX COUNTY

OCEAN VIEW
Alderman's Court 43
Oakwood Avenue
Ocean View, DE 19970
(539-9797)

REHOBOTH BEACH
Alderman's Court 37
P.O. Box C
Rehoboth Beach, DE 19971
(227-7917)

ALDERMAN'S COURT

FISCAL YEAR 1984
TOTAL CASES*
WORKLOAD SUMMARY

Court	Pending 6/30/83	Filings	Dispositions	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle County						
Elsmere**	400#	2,684	2,609	475	+ 75	+ 18.8%
Middletown	90	1,755	1,785	60	- 30	- 33.3%
Newark	1,942#	9,574	9,203	2,313	+371	+ 19.1%
New Castle	3	658	656	5	+ 2	+ 66.7%
Newport	472	3,995	3,790	677	+205	+ 43.4%
Kent County						
Harrington	181	150	331	0	-181	-100.0%
Sussex County						
Bethany Beach	100	1,038	990	148	+ 48	+ 48.0%
Bridgeville	0	1,526	1,526	0	0	-
Delmar##	13	392	358	47	+ 34	+261.5%
Fenwick Island	0	953	953	0	0	-
Laurel	133	941	944	130	- 3	- 2.3%
Ocean View	0	233	233	0	0	-
Rehoboth Beach	25#	945	928	42	+ 17	+ 68.0%
TOTALS	3,359#	24,844	24,306	3,897	+538	+ 16.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.
**The Elsmere Court only collects fines for traffic cases and does not actually try the case.
#Adjusted from 1983 Annual Report.
##Court opened on 3/10/83.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1984
CRIMINAL CASES*
WORKLOAD SUMMARY

Court	Pending 6/30/83	Filings	Dispositions	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle County						
Elsmere	0	0	0	0	0	-
Middletown	4	100	104	0	- 4	-100.0%
Newark	656	1,722	1,647	731	+ 75	+ 11.4%
New Castle	0	1	1	0	0	-
Newport	0	0	0	0	0	-
Kent County						
Harrington	0	0	0	0	0	-
Sussex County						
Bethany Beach	40	101	120	21	- 19	- 47.5%
Bridgeville	0	45	45	0	0	-
Delmar	2	115	113	4	+ 2	+100.0%
Fenwick Island	0	75	75	0	0	-
Laurel	45	205	219	31	- 14	- 31.1%
Ocean View	0	0	0	0	0	-
Rehoboth Beach	14**	321	297	38	+ 24	+171.4%
TOTALS	761**	2,685	2,621	825	+ 64	+ 8.4%

*The unit of count for criminal cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.
**Adjusted from 1983 Annual Report.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1984
TRAFFIC CASES*
WORKLOAD SUMMARY

Court	Pending 6/30/83	Filings	Dispositions	Pending 6/30/84	Change In Pending	% Change In Pending
New Castle County						
Elsmere**	400#	2,684	2,609	475	+ 75	+ 18.8%
Middletown	86	1,655	1,681	60	- 26	- 30.2%
Newark	1,286#	7,852	7,556	1,582	+296	+ 23.0%
New Castle	3	657	655	5	+ 2	+ 66.7%
Newport	472	3,995	3,790	677	+205	+ 43.4%
Kent County						
Harrington	0	0	0	0	0	-
Sussex County						
Bethany Beach	60	937	870	127	+ 67	+111.7%
Bridgeville	0	1,481	1,481	0	0	-
Delmar	11	277	245	43	+ 32	+290.9%
Fenwick Island	0	878	878	0	0	-
Laurel	88	736	725	99	+ 11	+ 12.5%
Ocean View	0	233	233	0	0	-
Rehoboth Beach	11#	624	631	4	- 7	- 63.6%
TOTALS	2,417#	22,009	21,354	3,072	+655	+ 27.1%

*The unit of count in traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 defendants.

**The Elsmere Court only collects fines for traffic cases and does not actually try the case.

#Adjusted from 1983 Annual Report.

Source: Alderman's Courts

ALDERMAN'S COURTS

COMPARISON - FISCAL YEARS 1983-1984
TOTAL CASES
WORKLOAD

Court	Number of Dispositions* 1983	1984	Change	% Change
New Castle County				
Elsmere**	2,162#	2,609	+ 447	+ 20.7%
Middletown	940	1,785	+ 845	+ 89.9%
Newark	9,093#	9,203	+ 110	+ 1.2%
New Castle	261	656	+ 395	+151.3%
Newport	3,366	3,790	+ 424	+ 12.6%
Kent County				
Harrington##	158	331	+ 173	+109.5%
Sussex County				
Bethany Beach	1,273	990	- 283	- 22.2%
Bladesl	30	Inactive	- 30	-100.0%
Bridgeville	1,966	1,526	- 440	- 22.4%
Delmar!!	77	358	+ 281	+364.9%
Fenwick Island	1,139	953	- 186	- 16.3%
Laurel	1,193	944	- 249	- 20.9%
Ocean View	416	233	- 183	- 44.0%
Rehoboth Beach	1,089	928	- 161	- 14.8%
TOTALS	23,163#	24,306	+1,143	+ 4.9%

*The unit of count in criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.
**The Elsmere Court only collects fines for traffic cases and does not actually try the case.
#Adjusted from 1983 Annual Report.
##Civil court only. Closed as of 4/1/84.
!Court closed as of 4/9/83.
!!Court opened on 3/10/83.

Source: Alderman's Courts

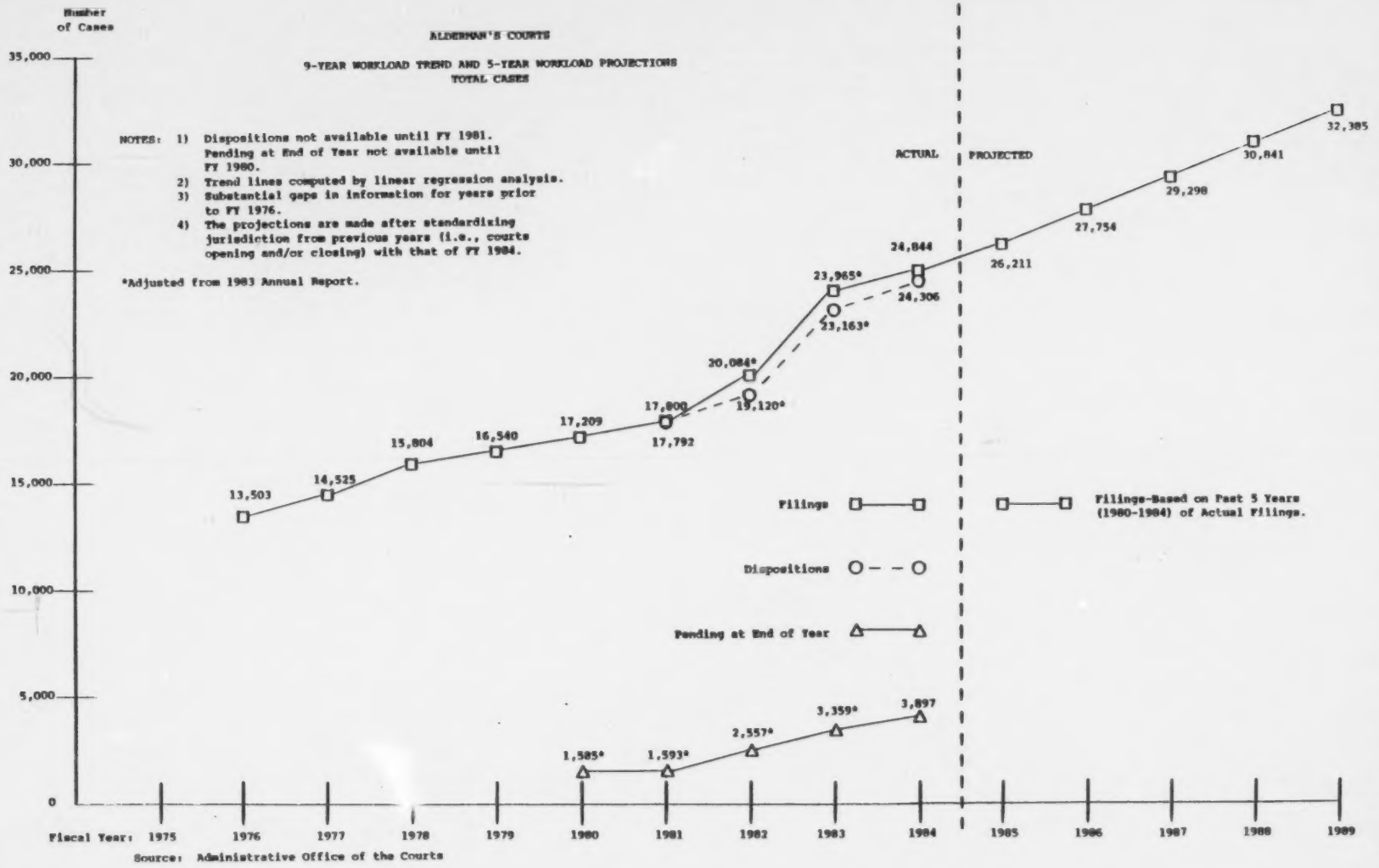
ALDERMAN'S COURTS

FISCAL YEAR 1984
RANKINGS IN ORDER OF TOTAL CASES FILED

Rank		Total Number of Filings*	Percentage of Total	FY 1983 Rank
1	Newark	9,574	38.5%	1
2	Newport	3,995	16.1%	2
3	Elsmere**	2,684	10.8%	3
4	Middletown	1,755	7.1%	9
5	Bridgeville	1,526	6.1%	4
6	Bethany Beach	1,038	4.2%	5
7	Fenwick Island	953	3.8%	7
8	Rehoboth Beach	945	3.8%	8
9	Laurel	941	3.8%	6
10	New Castle	658	2.7%	12
11	Delmar	392	1.6%	13
12	Ocean View	233	0.9%	10
13	Harrington#	150	0.6%	11
	TOTALS	24,844	100.0%	

*The unit of count for criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.
**The Elsmere Court only collects fines for traffic cases and does not actually try the case.
#Court closed in 4/84.

Source: Alderman's Courts



Source: Administrative Office of the Courts

Violent Crimes Compensation Board

VIOLENT CRIMES COMPENSATION BOARD

Legal Authorization

The Violent Crimes Compensation Board is authorized by 11 Delaware Code, Chapter 90.

Purpose

It is the purpose of the Violent Crimes Compensation Board to "promote the public welfare by establishing a means of meeting the additional hardships imposed upon the innocent victims of certain crimes, and the family and dependents of those victims". In fiscal year 1984 compensation was available to help meet the added burdens which sometimes faced the innocent victims of certain crimes for up to $10,000. With the beginning of fiscal year 1985, the Board may offer up to $20,000 in compensation to those who are victimized on or after July 1, 1984. The Board received a 15% penalty assessment which by law is added onto every fine, penalty, and forfeiture. These monies are deposited into the "Victim's Compensation Fund" for use when needed.

Geographic Organization

The Board is responsible for handling requests for compensation throughout the State of Delaware. Hearings on these requests may be held anywhere in the State at the convenience of the victim, with the Administrative Office of the Violent Crimes Compensation Board located in Wilmington.

Personnel

The Violent Crimes Compensation Board consists of five members: a chairman, a vice-chairman, and three additional Board members. Each member is appointed by the Governor and must be approved by the Senate before serving on the Board. The term of each Board member is three years as long as no more than two Board members have their terms expire at the end of any given year. The Board must be composed of not more than three members of any single political party. The Board may appoint an Executive Secretary and other employees as needed up to a maximum of five at one time. The Board currently employs the Executive Secretary, an administrative assistant, two claim investigators, and a secretary.

Caseload Trend

Revenue receipts of over $655,196 for fiscal year 1984 were received from penalty assessments and court ordered restitution. Receipts rose approximately $39,780 over last fiscal year. The budget expenditures of roughly $507,700 are a combination of roughly $167,100 in administrative costs and about $340,600 in award payments. Victim awards averaged approximately 67.1% of the overall budget with administrative costs at 32.9%. The Board has awarded over $2,198,400 through FY 1984 with actual award payments of just under $2,003,150. This difference is due to awards granted but later reverted to the victim's fund because of payments made on medical accounts by various local insurance carriers. In fiscal year 1984, the Board awarded over $375,000, but due to budget limitations paid out $340,600. The difference of $34,400 will be paid out in fiscal year 1985.

VIOLENT CRIMES COMPENSATION BOARD

Suite 10
1500 East Newport Pike
Wilmington, Delaware 19804
(995-8383)

BOARD MEMBERS

Clifford B. Hearn, Jr., Chairman (D, 2/1/77)
Stephen L. Maniata, Vice-Chairman (R, 1/20/85)
Leah W. Betts (D, 8/6/83)
Robert H. George (R, 8/6/83
Edward S. Stansky (D, 6/30/84)

SUPPORT PERSONNEL

Executive Secretary
Oakley M. Banning, Jr.

Administrative Assistant
Ann L. DelNegro

Claim Investigators
Marcia A. Jenkins
Howard P. Wilson

Secretary
Barbara E. Weiss

Foster Care Review Board

FOSTER CARE REVIEW BOARD

Legal Authorization

The Foster Care Review Board is authorized by 31 Delaware Code, Chapter 38.

Purpose

The Board serves as an independent monitoring system responsible for identifying and periodically reviewing children placed in foster care. Reviews of individual children in placement are conducted to ensure that continuing efforts are being made to obtain permanent homes for these children. The Board must report annually to the Chief Justice of the Supreme Court, the General Assembly and the Governor upon the effectiveness of its activities and must submit recommendations regarding the policies and procedures of foster care placement agencies.

Geographic Organization

The Board is responsible for reviewing the placements of children throughout the State of Delaware and actual review sessions are conducted in various locations across the State. The Administrative Office of the Board is located in Wilmington.

Personnel

36 citizen volunteers presently compose the Foster Care Review Board. Members are appointed by the Governor and serve terms of not more than three years. Of the 36 Board members, not more than a simple majority may be members of either major political party. The Governor designates one member who serves at his pleasure as Chairman. The Board hires an Executive Director who may in turn employ additional support personnel.

Caseload Trend

During the FY '84 program year, the Board scheduled 741 case reviews. 143 of these scheduled reviews were cancelled. These scheduled reviews were cancelled because the children left the foster care system prior to the review because they were returned to family, adopted, or reached the age of majority or due to pending litigation in Family Court.

The monthly average foster child population for FY '84 was 884 children. As of July, 1984, the Board's inventory reflected a foster child population of 867 children, which is 2.4% less than the Board's inventory of the foster child population of August, 1983, which documented 888 children in foster placement. During FY '84, the Board documented 748 children who exited from the foster care population. 60% of the children who exited were returned home; 8% of the children left foster care because relatives assumed their custody; 5% of the population left foster care because they were adopted; and 23% left foster care because they reached the age of majority; the remaining 4% of the population left foster care because their custody was transferred to another agency which usually was the Bureau of Juvenile Corrections.

The average time in foster care reduced from 66 months in 1980 to 49 months in 1982, and the decrease continued to a mean of 35 months in 1984. The continued decrease in mean time reflects the fact that there are less individuals who are remaining in care for unusually long periods of time. The median, which had reduced sharply from 36 months in 1980 to 16 months in 1982, decreased only slightly to 15 months in 1984.

FOSTER CARE REVIEW BOARD
7th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, Delaware 19801
(571-6000)

BOARD MEMBERS

Shirley A. Cupery, Chairman (D)

Judith Bennett (D, 9/7/86)
Mary Bergstrom (I, 3/29/85)
Barbara Blair (R, 12/1/84)
Velva Bowers (D, 9/7/86)
Jane Bullen (R, 9/7/86)
Linda Burris (R, 10/31/84)
Veronica Cannon (I, 12/1/84)
Judith A. Carmean (R, 9/7/86)
Lillian F. Cobin (D, 10/31/84)
Marcella Copes (I, 10/31/86)
Ivy Davis (D, 10/31/84)
Gail Denney (R, 10/31/86)
Karen Doherty (R, 9/7/86)
Jane Erisman (R, 9/7/86)
Jameeie Evans (R, 11/1/86)
Geraldine M. Garvin (R, 9/7/85)
Louise H. Gilliam (R, 9/7/85)
Barbara B. Green (R, 10/31/85)
Barbara Herr (R, 9/7/86)
Elizabeth Holtzlander (I, 9/7/85)
Annie B. King (R, 10/31/86)
Carolyn Susan Kline (I, 9/7/85)
Sister Margaret Loveland (D, 9/7/86)
Bonita Mault (R, 10/31/86)
Nancy L. McKenna (D, 9/7/86)
Kathryn T. Montgomery (D, 10/31/85)
Elsie O'Brien (R, 9/7/85)
Richard Poole (D, 10/31/86)
Warren A. Rhodes (D, 10/31/85)
Carol Sharp (I, 9/7/86)
Matthew M. Shipp (D, 9/7/85)
Henry H. Stroud (R, 9/7/84)
Elizabeth von Frankenberg (R, 9/7/86)
Jane L. Willis (R, 10/31/84)
Vivian B. Young (D, 9/7/85)

SUPPORT PERSONNEL

Executive Director
Barbara A. Brown

Staff Assistant
Sara A. Hockstein

Secretary
Charlotte J. Harris

Staff Assistant (part-time)
Virginia Leoni

Conferences & Councils

COURT ON THE JUDICIARY

Article IV, Section 37 of the Constitution of the State of Delaware created this Court, consisting of the Chief Justice and the Associate Justices of the Supreme Court, the Chancellor of the Court of Chancery, and the President Judge of Superior Court.

Any judicial officer appointed by the Governor may be censured, removed, or retired by the Court on the Judiciary for willful misconduct in office, willful and persistent failure to perform duties, commission of an offense involving moral turpitude, other misconduct in violation of the Canons of Judicial Ethics, or permanent mental or physical disability interfering with the proper performance of these duties.

No censure, removal, or retirement can be effective until the judicial officer has been served with written charges and has had the opportunity to be heard in accordance with due process of law.

The Court on the Judiciary has the power to:
(a) summon witnesses to appear and testify under oath and to compel production of other evidence, and
(b) adopt rules establishing procedures for the investigation and trial of a judicial officer.

JUDICIAL CONFERENCE

Legal Authorization

The Judicial Conference is authorized by Supreme Court Rule 35.

Duties

The Judicial Conference studies the judicial business of the courts with a view towards improving the administration of justice in the State. The Conference also considers improvements in procedure, considers and recommends legislation, considers and implements the Canons of Judicial Ethics, and holds symposia of the Bench and Bar.

Membership

The membership of the Conference includes the Judges of the Supreme Court, Court of Chancery, Superior Court, Family Court, Court of Common Pleas, and the Municipal Court of Wilmington. The Chief Justice is presiding officer of the Conference. The Director of the Administrative Office of the Courts serves as secretary for the Conference. Scheduled meetings of the Conference are held on the first Wednesdays of December and June.

COUNCIL ON THE ADMINISTRATION OF JUSTICE

Legal Authorization

The Council on the Administration of Justice is authorized by 10 Delaware Code, Chapter 20. The Council on the Administration of Justice, along with the Delaware Criminal Justice Planning Commission, will be replaced by the Criminal Justice Council effective January 1, 1985.

Duties

The Council is charged with the continuous study of the administration of justice in the State, and of the organization, procedure, practice, rules, and methods of administration and operation of each and all the courts of the State, whether of record or not of record. The Council collects and uses statistical and other information concerning the work of the courts and makes recommendations to the Governor, the General Assembly, the courts and/or the bar.

Membership

There are 15 members including the Chief Justice, the Chancellor, the President Judge of Superior Court, the Speaker of the House, the President Pro Tem of the Senate, the Minority Leaders of the House and Senate, the Attorney General, the President of the Bar Association, the President of the University of Delaware, and five non-lawyers appointed by the Governor for a term coextensive with that of the appointing Governor. Current membership is as follows:

Hon. Daniel L. Herrmann, Chief Justice, Supreme Court
Hon. Grover C. Brown, Chancellor, Court of Chancery
Hon. Albert J. Stiftel, President Judge, Superior Court
Hon. Orlando J. George, Jr., Speaker of the House of Representatives
Hon. Richard S. Cordrey, President Pro Tempore of the Senate
Hon. Charles L. Hebner, Minority Leader, House of Representatives
Hon. Andrew G. Knox, Minority Leader, Senate
Hon. Charles M. Oberly, III, Attorney General
E. A. Trabant, President, University of Delaware
O. Francis Biondi, Esq., President, Delaware State Bar Association
Douglas A. Van Sant, Public Member
Kenneth N. Meyer, Public Member
Pearl Daniels, Public Member
Robert D. Mitchell, Public Member
Henry Roy Smith, III, Public Member

Legislation

LEGISLATION

The following court-related legislation was enacted during 1984 by the Delaware General Assembly:

SENATE

Senate Bill 53
Sponsors: Senators McDowell, Marshall, Bair, Connor; Representatives Houghton, Brady, B. Ennis, Roy and Smith.
Signed by the Governor 7/20/84.

This bill creates the Board of Funeral Service Practitioners.

Senate Bill 227
Sponsor: Senator Sharp.
Signed by the Governor 7/2/84.

This bill provides the Family Court the jurisdiction and authority to expunge juvenile delinquency records under certain circumstances.

Senate Bill 289
Sponsor: Senator Berndt.
Signed by the Governor 4/16/84.

This bill assures that certain persons for whom guardians are sought will be represented by counsel at all stages of the proceeding.

Senate Bill 297
Sponsors: Senators McBride and Connor; Representatives Bunting and Jonkiert.
Signed by the Governor 4/16/84.

This bill provides for the forfeiture of illegally accumulated drug profits.

Senate Bill 305
Sponsor: Senator Sharp.
Signed by the Governor 5/13/84.

This bill makes various changes to the provisions of Title 12 concerning the administration of decedents' estates.

Senate Bill 308
Sponsor: Senator Sharp.
Signed by the Governor 5/13/84.

This bill amends certain provisions of Title 12 pertaining to wills and trusts.

Senate Bill 354
Sponsor: Senator Vaughn.
Signed by the Governor 5/5/84.

This bill raises the maximum compensation to an innocent victim of crime from $10,000 to $20,000.

Senate Bill 369
Sponsor: Senator Hinner.
Signed by the Governor 5/5/84.

This bill allows a plaintiff who enters a civil suit in Justice of the Peace Court No. 5 against a citizen who resides in Milford to recover costs due to Milford's unique dual county status.

Senate Bill 381
Sponsors: Senators Sharp and Berndt; Representatives Gilligan and Roy.
Signed by the Governor 7/17/84.

This bill removes the bar preventing an injured individual from recovering damages from a negligent wrongdoer where the injured individual contributed in any way to the cause of the injuries.

Senate Bill 385
Sponsor: Senator Cordrey.
Signed by the Governor 7/23/84.

This bill requires the Division of Purchasing to budget for funds necessary to provide copies of the Delaware Code to certain state agencies.

Senate Bill 387
Sponsors: Senator Adams; Representative Dixon.
Signed by the Governor 7/17/84.

This bill amends certain portions of the Delaware Code relating to corporation law for state banks.

Senate Bill 389
Sponsors: Senator Adams; Representatives Barnes and Clendaniel.
Signed by the Governor 7/17/84.

This bill permits the Family Court to release for inspection medical records retained by the Court or by adoption agencies under certain conditions.

Senate Bill 398
Sponsors: Senators Holloway, Knox, Bair, McDowell, Neal and Berndt; Representatives Van Sant, Gilligan, Hebner, Jester, Roy, Sills, Soles and Terry.
Signed by the Governor 6/30/84.

This bill enables the Family Court to require certain persons who have violated support orders to post a secured bond for the amount of past due and future support.

Senate Bill 417
Sponsors: Senators Cook, Berndt, Adams, Cordrey, Holloway, Sr., Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman, Citro, Littleton and Neal; Representatives Bennett, Anderson, Brady, Bunting, Campanelli, Clark, Clendaniel, Cordrey, Dixon, B. Ennis, George, Gilligan, Houghton, Jester, Jonkiert, Maconi, Outten, Plant, Sills, Soles, Terry, Van Sant, West, Wingate, Barnes, Boykin, Buckworth, Carrozi, Davis, D. Ennis, Fallon, Free, Hebner, Mack, Moroney, Oberle, Petrilli, Quillen, Roy, Smith and Spence.
Signed by the Governor 4/24/84.

This bill increases the pensions for State employees and Judges who retired on or before July 1, 1983.

Senate Bill 427
Sponsor: Senator Zimmerman.
Signed by the Governor 7/17/84.

This bill amends the Delaware Code relating to the Uniform Gifts to Minors Act.

Senate Bill 434
Sponsors: Senators Vaughn, Berndt, McBride, McDowell, Minner, Cook, Citro and Torbert; Representatives Houghton, B. Ennis, Roy, Terry, Brady, Cordrey, Anderson, Campanelli, Van Sant, Mack, Davis, Plant, Bunting, Boykin, Sills, Dixon, Spence, Jonkiert, Jester, West and Barnes.
Signed by the Governor 7/18/84.

This bill creates the Sentencing Accountability Commission.

Senate Bill 435
Sponsors: Senators Berndt, Holloway and Knox; Representatives Van Sant, Gilligan, Hebner and Wingate.
Signed by the Governor 6/30/84.

This bill permits informed consent relating to elective medical procedures for mentally retarded persons.

Senate Bill 437
Sponsors: Senator Adams; Representative Barnes.
Signed by the Governor 6/30/84.

This bill grants jurisdiction over certain misdemeanors to the City of Bridgeville.

Senate Bill 466
Sponsors: Senators Torbert and Minner; Representative B. Ennis.
Signed by the Governor 7/17/84.

This bill makes certain corrections and additions to that section of the Special Fuel Tax Law dealing with violations, penalties and enforcement.

Senate Bill 485
Sponsors: Senators Adams and Cook; Representative Bennett.
Signed by the Governor 7/20/84.

This bill clarifies certain provisions of the Delaware Code relating to the State's Deferred Compensation Plan as it pertains to members of the Judiciary and State Police.

Senate Bill 492
Sponsors: Senators Vaughn and Berndt; Representatives B. Ennis and Jester.
Signed by the Governor 7/20/84.

This bill establishes a more comprehensive set of criminal laws dealing with computer related offenses.

Senate Bill 531
Sponsors: Senators Cook, Minner, Torbert, Vaughn and Zimmerman; Representatives Bennett, Clark, B. Ennis, Outten, Buckworth and Quillen.
Signed by the Governor 7/23/84.

This bill permits the Kent County Levy Court to set the fees charged by the Kent County Prothonotary.

Senate Bill 543
Sponsors: Senators Vaughn and Knox; Representatives B. Ennis, Clark and Buckworth.
Signed by the Governor 6/30/84.

This bill allows payment of pension benefits to be made to a judge who in involuntarily retired after having completed substantially all but less than two full terms in office.

Senate Bill 549
Sponsors: Senators McDowell, Knox and Arnold; Representatives George, Bennett, Hebner and Oberle.
Signed by the Governor 6/27/84.

This bill provides for the creation of the Delaware Compensation Commission.

Senate Bill 558
Sponsor: Senator Cordrey.
Signed by the Governor 7/20/84.

This bill increases the salaries of the Chief Judges of the Court of Common Pleas and the Family Court by $5,000 each.

HOUSE OF REPRESENTATIVES

House Bill 91
Sponsors: Representatives Jonkiart, Meconi, Barnes and Mack; Senators Minner and Connor.
Signed by the Governor 6/19/84.

This bill formalizes the law relating to Notaries Public and provides for a uniform law on Notarial Acts.

House Bill 131
Sponsors: Representatives Van Sant and Maroney.
Signed by the Governor 3/26/84.

This bill makes confidential records submitted to and records and dental proceedings of committees or organizations reviewing dental records or dentists' work.

House Bill 157
Sponsors: Representatives Clark, Barnes, Bunting, Cordrey, Dixon, B. Ennis, Falcon, Houghton, Jester, Outten, Petrilli, Terry, Van Sant and West.
Signed by the Governor 6/5/84.

This bill increases the monetary limitation of Justice of the Peace Courts in civil actions from $1,500 to $2,500.

House Bill 197
Sponsors: Representatives Meconi and Ennis.
Signed by the Governor 6/28/84.

This bill corrects a deficiency in the Landlord/Tenant Code by allowing a trial de novo with regard only to non-jury summary possession trials, while allowing an appeal on the record with regard to jury summary possession trials.

House Bill 209
Sponsors: Representative Maconi and Senator Vaughn.
Signed by the Governor 6/5/84.

This bill substitutes the Chief Magistrate in place of the Chief Justice as the appointing authority for Justice of the Peace constables.

House Bill 237
Sponsors: Representative Maconi and Senator Vaughn.
Signed by the Governor 7/20/84.

This bill merges the Council on the Administration of Justice and the Delaware Criminal Justice Planning Commission into the Criminal Justice Council.

House Bill 279
Sponsors: Representative Jonkiert and Senator Marshall.
Signed by the Governor 6/19/84.

This bill allows a certificate of title to be introduced as evidence in a criminal proceeding.

House Bill 480
Sponsors: Representatives Outten, Barnes, Bennett, Buckworth, Clark, Dixon, Sills, Spence, Van Sant; Senators Torbert and Zimmerman.
Signed by the Governor 7/17/84.

This bill amends the Delaware Code relating to dishonored checks, drafts and orders.

House Bill 486
Sponsors: Representatives Van Sant, Dixon, Gilligan, Clendaniel, B. Ennis, D. Brady, Clark, Plant, Anderson, West, C. Cordrey, Roy, Carrozi, Spence, Boykin, Buckworth, Quillen, Barnes and Petrilli; Senators Cook, Vaughn, McBride, Citro, Torbert, Holloway, Sr., Minner and Arnold.
Signed by the Governor 7/20/84.

This bill amends the Delaware Code relating to chiropractic by adding the Board of Chiropractic and giving jurisdiction to Superior Court for violations of licensing requirements.

House Bill 503
Sponsor: Representative Terry.
Signed by the Governor 7/17/84.

This bill amends the Delaware Code relating to the appointment of guardians for minors.

House Bill 504
Sponsors: Representatives Outten and Terry.
Signed by the Governor 4/4/84.

This bill provides for an increase in the dollar limits that the Register of Wills may use to decide whether publication by advertisement of the granting of letters will be required.

House Bill 509
Sponsors: Representative Jonkiert and Senator Marshall.
Signed by the Governor 4/5/84.

This bill requires a victim impact statement, whether or not a presentence report is requested.

House Bill 514
Sponsors: Representative Dixon and Senator Adams.
Signed by the Governor 7/17/84.

This bill provides for reciprocity for foreign corporations in certain matters.

House Bill 527
Sponsors: Representatives Van Sant, Cordrey, Dixon, B. Ennis, Fallon, Plant, Sills and West; Senator Holloway.
Signed by the Governor 9/29/84.

This bill allows employees to inspect their personnel files under specified conditions and establishes penalties for violations.

House bill 565
Sponsors: Representatives Dixon, Brady, Buckworth, Carrozi and Terry.
Signed by the Governor 7/2/84.

This bill provides for a non-United States corporation or other entity to move its domicile to Delaware on a temporary basis under certain conditions.

House Bill 568
Sponsors: Representatives D. Ennis, Spence, Brady, Buckworth, Boykin, Quillen, Dixon, Barnes, Van Sant, Fallon, Davis, Mack, Bunting, Jester, B. Ennis, Sills, Campanelli, Jonkiert and Clark; Senators McDowell, Citro, Knox, Berndt, Connor, Arnold, Bair and McBride.
Signed by the Governor 7/20/84.

This bill authorizes the State Department of Justice to represent State witnesses or persons who have cooperated with any State investigative agency who are sued as a result of their testimony or cooperation.

House Bill 571
Sponsor: Representative Terry.
Constitutional Amendment, 1st leg passed 6/29/84.

This bill is a Constitutional Amendment pertaining to the composition of the grand juries.

House Bill 610
Sponsors: Representatives Dixon, Outten, Roy, Spence, Terry and Van Sant.
Signed by the Governor 7/17/84.

This bill relates to the right of the police to make an arrest without a warrant for misdemeanors under certain circumstances.

House Bill 615
Sponsors: Representatives Houghton, Brady, B. Ennis, Roy and Smith; Senators McDowell, Torbert, Marshall, Citro and Connor.
Signed by the Governor 5/24/84.

This bill provides summary proceeding authority to the Insurance Commissioner as an administrative remedy prior to formal rehabilitation.

House Bill 623
Sponsor: Representative Meconi.
Signed by the Governor 7/20/84.

This bill establishes statutory conditions under which the State may conduct pharmaceutical research on mentally ill patients under its care.

House Bill 651
Sponsors: Representatives Jonkiert and Roy.
Signed by the Governor 7/18/84.

This bill provides for registration of original wills in the Office of the Register of Wills for New Castle County.

House Bill 653
Sponsors: Representatives Clark, Anderson, Buckworth, Clendaniel, Jester and Sills.
Signed by the Governor 5/31/84.

This bill proposes a safety zone for hunting or trapping and provides for penalties for violations of its provisions.

House Bill 678
Sponsors: Representatives West, Buckworth, Clark and Dixon.
Signed by the Governor 7/20/84.

This bill amends the Delaware Code relating to uninsured vehicle coverage.

House Bill 679
Sponsors: Representatives Clark, Anderson, Buckworth, Clendaniel, Jester and Sills.
Signed by the Governor 5/31/84.

This bill bans the discharge of firearms on or across public highways and provides for penalties for violations.

House Bill 699
Sponsor: Representative Jester.
Signed by the Governor 6/14/84.

This bill creates a permanent Commission on Family Law.

House Bill 702
Sponsors: Representatives Sills, Plant and Van Sant; Senators Holloway and McDowell.
Signed by the Governor 9/29/84.

This bill provides for a judicial review of administrative decisions affecting applicants for and recipients of Delaware's public assistance programs.